

*For further information on an agenda item, please contact the City at
101 North "D" Street, or call (951) 943-6100*

**AGENDA
JOINT MEETING OF THE CITY COUNCIL, SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY, PUBLIC
FINANCE AUTHORITY, PUBLIC UTILITY AUTHORITY,
HOUSING AUTHORITY, PERRIS JOINT POWERS
AUTHORITY AND PERRIS COMMUNITY ECONOMIC
DEVELOPMENT CORPORATION OF THE CITY OF PERRIS**

Tuesday, February 10, 2015

6:00 P.M.

**City Council Chambers
(corner of San Jacinto and Perris Boulevard)
101 North "D" Street
Perris, California**

1. CALL TO ORDER: 6:00 p.m.

2. ROLL CALL:

Rodriguez, Rogers, Burke, Rabb, Busch

3. INVOCATION:

Pastor Ted Norton
New Life Fellowship Church
1041 Davis Road
Perris, CA 92570

4. PLEDGE OF ALLEGIANCE:

Councilman Rodriguez will lead the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

At this time, the City Council may recognize citizens and organizations that have made significant contributions to the community and it may accept awards on behalf of the City.

A. The County of Riverside Department of Public Health will give a presentation regarding community forums.

6. **APPROVAL OF MINUTES:**

- A. Approval of the Minutes of the Joint Regular Meeting of the City Council, Successor Agency to the Redevelopment Agency, Perris Public Finance Authority, Perris Public Utility Authority, Housing Authority, Perris Joint Powers Authority and Perris Community Economic Development Corporation of the City of Perris held January 27, 2015.

7. **CONSENT CALENDAR:**

*Consent Calendar items are normally enacted in one motion. The Mayor or City Council may remove a Consent Calendar item for separate action. **Public comment is limited to three (3) minutes.***

- A. Adopt the Second Reading of Ordinance Number 1311 designating the time for Regular City Council Meetings to commence at a time established by resolution.

The Second Reading of Proposed Ordinance Number 1311 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04 REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

- B. Adopt Resolution Numbers (next in order) regarding Annexation of PM 36469 to Maintenance District No. 84-1, located on the east side of Redlands Avenue with the Oleander Channel along the north boundary and the Perris Valley Storm Drain Channel along the east boundary. (Ownership of: Stratford Ranch LLC).

The Proposed Resolution Numbers (next in order) are entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF PM 36469 INTO MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF PM 36469 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF PM 36469 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON APRIL 14, 2015

- C. Adopt Resolution Number (next in order) regarding Annexation of PM 36469 to Flood Control MD No. 1, located on the east side of Redlands Avenue with the Oleander Channel along the north boundary and the Perris Valley Storm Drain Channel along the east boundary. (Ownership of: Stratford Ranch LLC).

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF PM 36469 TO BENEFIT ZONE 81, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON APRIL 14, 2015

- D. Adopt Resolution Numbers (next in order) regarding Annexation of the PM 36469 to Landscape Maintenance District No. 1 (LMD 1), located on the east side of Redlands Avenue with the Oleander Channel along the north boundary and the Perris Valley Storm Drain

Channel along the east boundary. (Ownership of: Stratford Ranch LLC).

The Proposed Resolution Numbers (next in order) are entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 110 (PM 36469) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF PM 36469 TO BENEFIT ZONE 110, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 110, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 110, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF PM 36469 TO BENEFIT ZONE 110, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON APRIL 14, 2015

- E. Receive and File the Investment Report for the Quarter Ended December 31, 2014.
- F. Approve closure of Evans Road between Orange Avenue and Citrus Avenue.

- G. Adopt Resolution Number (next in order) instituting foreclosure proceedings in regards to CFD Nos.2004-3, 2004-5, 2005-2, 2005-4.

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL TAXES RELATED TO COMMUNITY FACILITIES DISTRICT NOS. 2004-3, 2004-5, 2005-2 AND 2005-4 OF THE CITY OF PERRIS, PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

- H. Adopt Resolution Number (next in order) regarding Street Vacation 13-09-0008, to summarily vacate a portion of 2nd Street, between "D" Street and the A.T.S.F. Railroad Right-of-Way, to facilitate access to the future Downtown Perris Metrolink Station. (Applicant: Riverside County Transportation Commission).

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO SUMMARILY VACATE A PORTION OF 2nd STREET, BETWEEN "D" STREET AND THE A.T.S.F. RAILROAD RIGHT-OF-WAY, TO FACILITATE ACCESS TO THE FUTURE DOWNTOWN PERRIS METROLINK STATION WITHIN THE DOWNTOWN SPECIFIC PLAN AREA, SUBJECT TO THE FINDINGS NOTED HEREIN

- I. Adopt Resolution Number (next in order) regarding a 2015 California State Parks Off-Highway Motor Vehicle Grant.

The Proposed Resolution Number (next in order) is entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS

8. PUBLIC HEARINGS:

The public is encouraged to express your views on any matter set for public hearing. It is our procedure to first receive the staff report, then to ask for public testimony, first from those in favor of the project followed by testimony from those in opposition to it, and if there is

*opposition, to allow those in favor, rebuttal testimony only as to the points brought up in opposition. To testify on the matter, you need to simply come forward to the speaker's podium at the appropriate time, give your name and address and make your statement. After a hearing is closed, you may not further speak on the matter unless requested to do so or are asked questions by the Mayor or a Member of the City Council. **Public comment is limited to three (3) minutes.***

- A. Consideration to adopt Resolution Numbers (next in order) regarding the approval of the issuance of (a) Perris Public Financing Authority Tax Allocation Revenue Refunding Bonds 2015 Series A in the aggregate principal amount not to exceed \$25 million, and (b) Perris Public Financing Authority Subordinate Tax Allocation Revenue Refunding Bonds 2015 Series B in the aggregate principal amount not to exceed \$25 million, the proceeds of which will be loaned to the Successor Agency to the Redevelopment Agency of the City of Perris to refinance redevelopment activities and public improvements of benefit to City's redevelopment projects, approving certain documents, finding public benefits and taking certain actions in connection therewith.

The Proposed Resolution Number (next in order) are entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING LOAN AGREEMENTS BETWEEN THE PERRIS PUBLIC FINANCING AUTHORITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS RELATING TO REFINANCING OF PRIOR DEBT OF THE REDEVELOPMENT AGENCY; THE ISSUANCE OF CERTAIN BONDS BY THE AUTHORITY, THE PUBLIC BENEFITS RELATING TO SAID FINANCING AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING LOAN AGREEMENTS BETWEEN THE PERRIS PUBLIC FINANCING AUTHORITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS RELATING TO REFINANCING OF PRIOR DEBT OF THE REDEVELOPMENT AGENCY; THE ISSUANCE OF CERTAIN BONDS BY THE AUTHORITY, THE PUBLIC BENEFITS RELATING TO SAID FINANCING AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

A RESOLUTION OF THE PERRIS PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF ITS TAX ALLOCATION REVENUE REFUNDING BONDS 2015 SERIES A

AND TAX ALLOCATION SUBORDINATE REVENUE REFUNDING BONDS 2015 SERIES B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50 MILLION TO FUND LOANS TO THE SUCCESSOR AGENCY, AND AUTHORIZING THE PURCHASE OF THOSE LOANS BY THE AUTHORITY, APPROVING CERTAIN DOCUMENTS AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

Introduced by: Eric Dunn, City Attorney

PUBLIC COMMENT:

- B. Consideration to introduce the First Reading of Ordinance Number (next in order) updating Title 8 of the Perris Municipal Code, Animal Control Ordinance, related to exotic animals and reptiles. (Applicant: City of Perris).

The First Reading of Proposed Ordinance Number (next in order) is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING CHAPTER 8.08 OF THE PERRIS MUNICIPAL CODE REGARDING ANIMAL CONTROL REGULATIONS FOR EXOTIC ANIMALS

Introduced by: Clara Miramontes, Director of Development Services

PUBLIC COMMENT:

9. BUSINESS ITEMS: (not requiring a “Public Hearing”):

Public comment will be called for each non-hearing item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed, you may not further speak on the matter unless the Mayor or City Council requests further clarification of your statement. Public Comment is limited to three (3) minutes.

- A. Presentation by the Western Riverside Energy Leadership Partnership (WRELP) for City of Perris Advancement to Gold Level Tier.

Introduced by: Michael Morales, Capital Improvement Project Manager

PUBLIC COMMENT:

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

This is the time when any member of the public may bring a matter to the attention of the Mayor and the City Council that is within the jurisdiction of the City Council. The Ralph M.

*Brown act limits the Mayor's, City Council's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The City Council may discuss or ask questions for clarification, if desired, at this time. **Public comment is limited to three (3) minutes.***

11. COUNCIL COMMUNICATIONS:

(Committee Reports, Agenda Items, Meeting Requests and Review etc.)

This is an opportunity for the Mayor and City Councilmembers to report on their activities and the actions of the Committees upon which they sit, to bring a matter to the attention of the full Council and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. NO ACTION CAN BE TAKEN AT THIS TIME.

12. CITY MANAGER'S REPORT:

13. CLOSED SESSION:


- A. Conference with Real Property Negotiators – Government Code Section 54956.8
Property: 227 North "D" Street, Perris, CA
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: Boys and Girls Club of Perris
Southwest Veteran's Business Resource Center
Under Negotiation: Price and terms of payment
- B. Conference with Real Property Negotiators – Government Code Section 54956.8
Property: 403 E. 4th Street, Perris, CA
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: California Department of Forestry
Under Negotiation: Price and terms of payment
- C. Conference with Real Property Negotiators – Government Code Section 54956.8
Property: APN# 303-300-027
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: Riverside County
Under Negotiation: Price and terms of payment
- D. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(d)(2); 1 case:
1. BAI Investor, LLC v. City of Perris, et al.
- E. Conference with Legal Counsel - Anticipated Litigation - Government Code Section 54956.9 (d)(4) - 2 cases

14. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Building Official (951) 443-1029. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**CITY COUNCIL/
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/
PERRIS PUBLIC FINANCE AUTHORITY/
PERRIS PUBLIC UTILITIES AUTHORITY/HOUSING
AUTHORITY/PERRIS JOINT POWERS AUTHORITY/PERRIS
COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
AGENDA SUBMITTAL**

TO: The Honorable Mayor and Members of the City Council

FROM: Nancy Salazar, City Clerk 

DATE: February 10, 2015

SUBJECT: *Approval of Minutes*

BACKGROUND: None.

FISCAL IMPACT: None.

- **RECOMMENDATION:** Motion to approve the Minutes of the Regular Joint Meeting held on January 27, 2015 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Joint Powers Authority and the Perris Community Economic Development Corporation

Prepared by: Judy L. Haughney, CMC, Records Clerk 
Approved by: Nancy Salazar, City Clerk

Attachments:

- Minutes of the Regular Joint Meeting held on January 27, 2015 of the City Council, Successor Agency to the Redevelopment Agency, Perris Public Finance Authority, Perris Public Utilities Authority, Housing Authority, Perris Joint Powers Authority and the Perris Community Economic Development Corporation

CITY OF PERRIS

MINUTES:

Date of Meeting: January 27, 2015

06:00 PM

Place of Meeting: City Council Chambers

1. CALL TO ORDER: 6:00 p.m.

Mayor Busch called the Regular City Council Meeting to order at 6:00 p.m.

2. ROLL CALL: Rabb, Rodriguez, Rogers, Burke, Busch

Staff Members Present: City Manager Belmudez, City Attorney Dunn, City Engineer Motlagh, Assistant City Manager Carr, Deputy City Manager Madkin, Redevelopment & Economic Development Manager McDermott, Police Captain Judge, Fire Chief Barnett, Director of Development Services Miramontes, Capital Improvement Project Manager Morales, Information Technology Manager Cervantes, Administrative Services Manager Carlos, Assistant Director of Community Services and Housing Chavez, Assistant Finance Director Erwin, Assistant Director of Public Works Hartwill, Public Information Officer Vargo and City Clerk Salazar.

3. INVOCATION: Pastor Jose Luis Ramirez REAL Christian Community
Church 57 Business Park Drive Perris, CA 92571

In the absence of Pastor Jose Luis Ramirez, Associate Pastor Ernesto Zavala gave the invocation.

4. PLEDGE OF ALLEGIANCE:

Councilman Rabb led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

A. Recognition of Rosalinda Lopez upon her retirement of over 35 years of service with the City of Perris.

6. APPROVAL OF MINUTES:

- A. Approval of the Minutes of the Joint Regular Meeting of the City Council, Successor Agency to the Redevelopment Agency, Perris Public Finance Authority, Perris Public Utility Authority, Housing Authority, Perris Joint Powers Authority and Perris Community Economic Development Corporation of the City of Perris held January 13, 2015.

The Mayor called for a motion.

M/S/C: Moved by Julio Rodriguez, seconded by David Starr Rabb to Approve the Minutes as presented.

AYES: David Starr Rabb, Julio Rodriguez, Rita Rogers, Tonya Burke, Daryl Busch

NOES:

ABSENT:

ABSTAIN:

7. CONSENT CALENDAR:

City Manager Belmudez requested that items 7.E. and 7.F. be continued off calendar.

The Mayor called for Public Comment on the Consent Calendar.

There was no Public Comment.

the Mayor closed Public Comment.

Councilman Rodriguez requested that Virniecia Green Jordan speak regarding Item 7.J.

- A. Adopted the Second Reading of Ordinance Number 1310 regarding proposed CFD No. 2014-1 (Avelina) levying taxes with each of the three Improvement Areas of Community Facilities District No. 2014-1, in accordance with the respective Rate and Method of Apportionment. Property is bordered by Orange Avenue on the north and Evans Road on the east. Property includes Tract Nos. 30850, 30850-1, 30850-2, 30850-3, and 30850-4.

The Second Reading of Ordinance Number 1310 is entitled:
 ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS
 ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF
 COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA) OF THE
 CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX
 WITHIN IMPROVEMENT AREA NO. 1, IMPROVEMENT AREA NO. 2,
 AND IMPROVEMENT AREA NO. 3 OF SAID DISTRICT

- B. Adopted Resolution Numbers 4803, 4804 and 4805 regarding Annexation of CUP 13-07-0010 to Maintenance District No. 84-1; a lumber yard being constructed on the property by JAR Commercial Investments, LLC, located

on the southeast corner of Watson Road and Interstate 215.

Resolution Number 4803 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF CUP 13-07-0010 INTO MAINTENANCE DISTRICT NUMBER 84-1

Resolution Number 4804 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 13-07-0010 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

Resolution Number 4805 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 13-07-0010 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 31, 2015

- C. Adopted Resolution Numbers 4806, 4807 and 4808 regarding Annexation of CUP 13-07-0010 to Landscape Maintenance District No. 1 (LMD 1); a lumber yard being constructed on the property by JAR Commercial Investments, LLC, located on the southeast corner of Watson Road and Interstate 215.

Resolution Number 4806 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1,

AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 109 (CUP 13-07-0010) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

Resolution Number 4807 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

Resolution Number 4808 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 109, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 109 LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 31, 2015

- D. Adopted Resolution Number 4809 regarding Annexation of Parcel into CFD 1-S (South Perris Public Services District), Annexation No. 5 (Grove Lumber). (Applicant: JAR Commercial Investments LLC).

Resolution Number 4809 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1-S (SOUTH PERRIS PUBLIC SERVICES) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 5]

- E. Approve bid award to Spec Construction Company for tenant improvements for 24 South "D" Street, Perris Station Apartments Commercial Space, Suites 100 and 102.
This item was continued off calendar.
- F. Adopt Resolution Number (next in order) regarding Street Vacation 13-09-0008, to summarily vacate a portion of 2nd Street, between D Street and the A.T.S.F. Railroad right-of-way, to facilitate access to the future Downtown Perris Metrolink Station. (Applicant: Riverside County Transportation Commission).

This item was continued off calendar.

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO SUMMARILY VACATE A PORTION OF 2ND STREET, BETWEEN D STREET AND THE A.T.S.F. RAILROAD RIGHT- OF-WAY TO FACILITATE ACCESS TO THE FUTURE DOWNTOWN PERRIS METROLINK STATION WITHIN THE DOWNTOWN SPECIFIC PLAN AREA, SUBJECT TO THE FINDINGS NOTED HEREIN

- G. Approved Riverside County Transportation Commission Agreements related to the Comprehensive License Agreement, Conveyance of Museum Line Railroad Track Property, and License Agreements for Parking and Monumentation.
- H. Received and Filed the 2013-2014 CAFR (Comprehensive Annual Financial Report) and Financial Statements.
- I. Approved Perris Valley Storm Drain Improvement Credit/Reimbursement Agreements with Stratford Ranch, LLC, Stratford Ranch Investors, LLC, and related entities for improvements to the Perris Valley Storm Drain and Line D/D-3 required for DPR 11- 12-0004, located east of Redlands Avenue between Ramona Expressway and the northerly City limits.
- J. Approved the fee waiver request from Perris Valley and Activities Committee for the use of the Bob Glass Gym and Foss Field Park for the Inland Empire African American Event to be held on February 28, 2015

The Mayor called for a motion.

M/S/C: Moved by Julio Rodriguez, seconded by Tonya Burke to Approve the Consent Calendar with the exception of Items E. and F. which were continued off calendar.

AYES: David Starr Rabb, Julio Rodriguez, Rita Rogers, Tonya Burke, Daryl Busch

NOES:

ABSENT:

ABSTAIN:

8. PUBLIC HEARINGS:

- A. Introduced the First Reading of Ordinance Number 1311 designating the time for Regular City Council Meetings to commence at a time established by resolution.

The First Reading of Ordinance Number 1311 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04

REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

**This item was introduced by City Attorney Dunn.
The Mayor opened the Public Hearing at 6:21 p.m.
City Attorney Dunn noted that a comment letter was received from Maria Valeriano and that the letter was in opposition.
There was no other Public Comment
The Mayor closed the Public Hearing at 6:21 p.m.**

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Rita Rogers to Approve the first reading of Ordinance Number 1311 as presented.

AYES: David Starr Rabb, Julio Rodriguez, Rita Rogers, Tonya Burke, Daryl Busch

NOES:

ABSENT:

ABSTAIN:

- B. **Upheld the Planning Commission decision to certify the Environmental Impact Report and adopted Resolution Numbers 4810 and 4811 to approve Tentative Parcel Map 36726 and Development Plan Review 14-02-0014 to develop a 43 gross acre site with a 864,000 square foot high distribution warehouse facility, located south of Nance Street, north of Markham Street and between Webster and Indian Avenues within the Perris Valley Commerce Center (PVCC) Specific Plan area. (Applicant: Russell Pierce, Integra Pacific LLC).**

The Proposed Resolution Numbers (next in order) are entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2014051065) PREPARED FOR THE INTEGRA DISTRIBUTION CENTER PROJECT, AN 864,000 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY, BASED ON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM

This item was presented by Associate Planner Sbardellati.

Councilman Rodriguez left the City Council chambers at 6:28 p.m. and returned at 6:29 p.m.

Mayor Pro Tem Rogers left the City Council chambers at 6:47 p.m. and returned at 6:51 p.m.

The Mayor opened the Public Hearing at 6:53 p.m.

The following person spoke at Public Comment:

Russell Pierce, Integra Pacific, LLC
The Mayor closed the Public hearing at 6:55 p.m.

Ex Parte Communication:
Rodriguez

The following Councilmembers spoke:
Rodriguez
Rabb

The Mayor called for a motion.

M/S/C: Moved by Julio Rodriguez, seconded by Tonya Burke to Approve Resolution Numbers 4810 and 4811 and uphold the Planning Commission decision to certify the EIR as presented.

AYES: David Starr Rabb, Julio Rodriguez, Rita Rogers, Tonya Burke, Daryl Busch

NOES:

ABSENT:

ABSTAIN:

9. BUSINESS ITEMS:

- A. Consideration to make appointments and changes to the Mayor Pro Tem, the various agencies and committees and City Commissions that represent the City.
(Continued from January 13, 2015 Council Meeting)

This item was introduced by Mayor Busch.
The Mayor asked for Public Comment.
The following person spoke at Public Comment:
Laurel Rudy
The Mayor closed Public Comment

The following Councilmembers spoke:
Rodriguez

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Tonya Burke to Approve the City Council appointments as presented by Mayor Busch

AYES: David Starr Rabb, Rita Rogers, Tonya Burke, Daryl Busch

NOES:

ABSENT:

ABSTAIN: Julio Rodriguez

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

The following people spoke at Public Comment:

Ali Mazarei

Cesar Santillana

Armando Hurtado

Julie Vargas

Estela Gonzales

One person did not give their name

11. COUNCIL COMMUNICATIONS:

The following Councilmembers spoke:

Rabb

Rogers

Burke

Rodriguez

Busch

12. CITY MANAGER'S REPORT:

13. CLOSED SESSION:

A. Conference with Real Property Negotiators - Government Code Section 54956.8 Property: 403 E. 4th Street, Perris, CA City Negotiator: Richard Belmudez, City Manager Negotiating Parties: California Department of Forestry Under Negotiation: Price and terms of payment

B. Conference with Real Property Negotiators - Government Code Section 54956.8 Property: 227 North "D" Street, Perris, CA City Negotiator: Richard Belmudez, City Manager Negotiating Parties: Boys and Girls Club of Perris Southwest Veteran's Business Resource Center Under Negotiation: Price and terms of payment

14. ADJOURNMENT:

The City Council adjourned to Closed Session at 7:42 p.m.

The City Council reconvened in Open Session at 9:00 p.m.

There was no reportable action.

There being no further business the Regular City Council meeting was adjourned at 9:01 p.m.

Respectfully Submitted,

Nancy Salazar, City Clerk

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: February 10, 2015

SUBJECT: Ordinance Designating the Time for Regular City Council Meetings to Commence at a Time Established by Resolution

REQUESTED ACTION:

That the City Council waive further reading and adopt Ordinance No. 1311 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04 REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

CONTACT: Eric Dunn, City Attorney

Background/Discussion:

On January 27, 2015, the City Council introduced the first reading of Ordinance 1311 to amend Municipal Code Chapter 2.04 to authorize the City Council to designate the time for Council Meetings by resolution. The ordinance is now ready for adoption. The information from the January 27, 2015 staff report is included below for your reference:

On January 13, 2015, the City Council directed the City Attorney to prepare an ordinance amending the Municipal Code to authorize a change in the start time of City Council Meetings.

Pursuant to Chapter 2.04 of the Municipal Code, regular meetings of the City Council are to be held at 6:00 p.m. on the second and last Tuesday of each month. Government Code section 54954 allows regular City Council Meeting times to be set by either ordinance or resolution. The proposed ordinance would amend Chapter 2.04 to state that the time for regular meetings to commence will be established by resolution. This will allow any future changes to scheduling regular meeting times to be done without amending the Municipal Code.

The attached ordinance contains recitals and findings in support of amending Chapter 2.04 of the Municipal Code to authorize the City Council to designate the time for Council Meetings by resolution.

Budget (or Fiscal) Impact:

None.

Reviewed by:

City Attorney X

Assistant City Manager RC

Attachments:

Consent: X

Public Hearing:

Business Item:

Other:

ORDINANCE NO. 1311

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04 REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

WHEREAS, Government Code Section 54954(a) requires the City Council to provide by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by the City, the time and place for holding regular meetings; and

WHEREAS, Perris Municipal Code Section 2.04 codifies the City Council Meeting specifics, including the time and place for holding regular meetings; and

WHEREAS, the City Council desires to amend Chapter 2.04 and establish the days and times of regular meetings of the City Council by resolution.

THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals Incorporated. The foregoing Recitals are incorporated herein as if set forth in full.

Section 2. Amendment to Chapter 2.04 of the Perris Municipal Code. Chapter 2.04 (CITY COUNCIL) of the Perris Municipal Code is hereby deleted and replaced in its entirety to read as follows:

"Section 2.04.010 Meetings.

A. The city council shall meet at the City Hall, 101 North "D" Street, Perris, California. The city council shall, from time to time, adopt a resolution prescribing the date and time for all regular meetings.

B. Work sessions are optional. Work sessions may be called when deemed appropriate.

"Section 2.04.020 Mayor pro tempore.

The city council shall meet the Tuesday after the general municipal election and choose one of its members as mayor pro tempore. The mayor pro tempore shall serve at the pleasure of the city council."

Section 3. No Repeal of other Provisions. Unless expressly modified or added herein, all provisions of Chapter 2.04 remain in full force and effect.

Section 4. Effective Date. This Ordinance shall take effect 30 days after its adoption.

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 6. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

ADOPTED, SIGNED and APPROVED this ___ day of _____, 2015.

Daryl R. Busch, Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

I, _____, City Clerk of the City of Perris that the foregoing Ordinance Number 1311 was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the ___ day of _____, 2015, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

City Clerk

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date February 10, 2015

SUBJECT: Annexation of PM 36469 to Maintenance District No. 84-1

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report
2. Adoption of Resolution Preliminarily Approving Engineer's Report
3. Adoption of Resolution of Intention to Annex PM 36469 to Maintenance District No. 84-1 and setting a public hearing date of April 14, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: PM 36469 is an 84.5-acre project located on the east side of Redlands Avenue with the Oleander Channel along the north boundary and the Perris Valley Storm Drain Channel along the east boundary. The project is under the ownership of Stratford Ranch LLC, and, as a condition of approval, is required to annex into MD 84-1.

This district was formed to finance the annual maintenance of streetlights and traffic signals installed in conjunction with new development. Thirty-three streetlights that will be maintained under MD 84-1 benefit this project. The project also specifically benefits from traffic signals located at the intersection of Harley Knox Boulevard with Redlands Avenue and Perris Boulevard; and, at the intersection of Ramona Expressway with Redlands Avenue.

BUDGET (or FISCAL) IMPACT:

The maximum annual assessment is \$16,424.77, plus inflation factors not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

Reviewed by:

Assistant City Manager 

City Attorney _____

- Attachments:
1. Resolution Ordering Preparation of the Engineer's Report
 2. Engineer's Report
 3. Resolution Preliminarily Approving Engineer's Report
 4. Resolution of Intention to Annex PM 36469 to Maintenance District No. 84-1

Consent:

RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF PM 36469 INTO MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation of streetlights, traffic signals and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof all within the boundaries of PM 36469 and the incorporated boundaries of the City of Perris, California; and

WHEREAS, the City Council has heretofore appointed Habib Motlagh, the City Engineer for the City of Perris, as the "Engineer of Work" for Maintenance District Number 84-1 and Shepherd & Staats, Incorporated has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the streetlights, traffic signals and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California,

Section 2. That PM 36469 be defined as that area to be annexed to the City of Perris Maintenance District Number 84-1.

Section 3. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled "Diagram of Annexation of PM 36469 to Maintenance District Number 84-1, City of Perris, County of Riverside, State of California."

Section 4. That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

Section 5. That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Shepherd & Staats, Incorporated, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

Section 6. That Habib Motlagh, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

Section 7. That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

Section 8. That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number ____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 10th day of February, 2015, by the following called vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk, Nancy Salazar

AGENCY: City of Perris
PROJECT: Annexation of PM 36469
To Maintenance District No. 84-1
TO: City Council
City of Perris
State of California

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the **STATE OF CALIFORNIA**, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2014 to June 30, 2015, for that area to be known and designated as:

**"Annexation of PM 36469
to Maintenance District No. 84-1"**

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefore and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 10th day of February, 2015.

HABIB M. MOTLAGH, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 14th day of April 2015, by adoption of Resolution No. _____ of the City Council.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 10th day of February 2015.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA

Report

PART 1. Plans and Specifications. Generally, the work to be performed consists of the annual energy and maintenance costs for 33 new streetlights. The street lights to be maintained are identified on the plans and specifications being prepared by Albert A Webb Associates that are entitled, "Street Lighting Plans for: Stratford Ranch – Parcel Map 36469, Development Plan No. 11-12-0004, City of Perris, California".

The site of PM 36469 is shown on the Diagram within Part 4. In addition to the street lights, this area benefits from existing and future traffic signals. Of specific benefit are the traffic signals at the following intersections:

Harley Knox Blvd at the intersections of Redlands Avenue and Perris Blvd
Ramona Expressway at the intersection of Redlands Avenue

The plans and specifications for all facilities are or will be on file in the City of Perris Office of Community Development and, by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements.

The street light improvements are owned by SCE and, upon construction, will be as shown on the SCE Street Light Atlas Maps. The traffic signals are owned by the City of Perris and are shown on the City of Perris Traffic Signal Location Map. Said Map and Atlas are on file in the City of Perris Office of Community Development and are made a part of this report to the same extent as if said documents were attached hereto.

PART 2. An Estimate of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, materials, electricity, and appurtenances. Incidental costs include engineering, legal, City Clerk, and administration expenses, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

The estimated annual cost for maintenance of the facilities is listed on the following page.

Zero costs will be incurred by the area within this annexation for the fiscal year commencing July 1, 2014 to June 30, 2015.

The estimated annual cost for maintenance of the facilities is as follows:

<u>Facility</u>	<u>Quantity</u>	<u>Annual Cost</u>	<u>Total Cost</u>
Street Lights			
9500 Lumen	0	\$152.76	\$00.00
22000 Lumen	33	199.08	6,569.64
Traffic Signals			
Harley Knox Blvd and Perris Blvd	15.00%	15,000.00	2,250.00
Harley Knox Blvd and Redlands Ave	30.00%	15,000.00	4,500.00
Ramona Expwy and Redlands Ave	15.00%	15,000.00	2,250.00
Subtotal			\$15,569.64
Incidental Costs			3,113.93
City Contribution for Street Lights Resolution 4745 Adjustment	33	-46.32	-1,528.56 -730.24
Balance to Assessment			\$16,424.77

PART 3. The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of the Diagram, enclosed herein as Part 4.

Street lighting and the orderly circulation of traffic directly benefits the area to be annexed to MD 84-1. Any share of the benefits received that does not provide a special benefit to the assessed properties is a general benefit provided by the improvements. The cost of the general benefit is not to be assessed to the properties in the district.

The cost of the general benefit is to be contributed by the City. This cost for lights is equal to the unit cost difference between a 9,500 lumen light and a 22,000 (or greater) lumen light. A 9,500 lumen light is the standard required on a local street. Other streets require a standard greater than 9,500 lumens in order to service a capacity greater than the local traffic.

Reference is made to the FY 2014/2015 annual proceedings for Maintenance District No. 84-1, as confirmed and set forth in Resolution 4745 approved on July 8, 2014. Under these proceedings, the benefit for the annual maintenance of streetlight and traffic signals is equal to \$46.28 per Benefit Unit, or single family home. For the purposes of this report, this assessment determines the net specific street light and traffic signal benefit.

As a condition of approval, the developer is required by the City to provide certain standard street lighting for the area within the development; and the energy costs for the initial 18-month period. No newly annexed area or portion thereof is assessed prior to the completion of the initial 18-month period.

The method of assessment is based on units, with a residential dwelling or condominium equal to one benefit unit. The relationship between residential lots and non-residential development has been established at 4.2 residential lots to one assessed acre based on the general density of the City as a whole.

The improvements benefiting the property were required for the approval of, and as a consequence of, development of this area. The assessed acreage is the net acreage of the PM 36469.

The current annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the improvements and appurtenant facilities is equal to \$46.28 per benefit unit, shown as follows:

$$\frac{\text{Assessed Acre}}{4.2 \text{ Benefit Units}} \times \frac{\$16,424.77}{84.50 \text{ AC}} = \$46.28 \text{ per Benefit Unit}$$

Plus inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and
- 2) the Southern California Edison rate increase(s) effective in subsequent years.

The current maximum annual assessment, by parcel within PM 36469, is listed as follows:

Parcel	Assessor Parcel & Assessment Number	Net Acreage	Benefit Unit	Maximum Annual Assessment
1	302-160-024	21.35	89.67	\$4,149.93
1	302-170-015	<u>27.10</u>	<u>113.82</u>	<u>5,267.59</u>
Parcel 1 Totals		48.45	203.49	\$9,417.52
2	302-150-028	26.05	109.41	\$5,063.49
2	302-160-025	<u>10.00</u>	<u>42.00</u>	<u>1,943.76</u>
Parcel 2 Totals		36.05	151.41	\$7,007.25
Total		84.50	354.90	\$16,424.77

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2014 to June 30, 2015, reference is made to the Assessment Roll included herein as Attachment No.1.

PART 4. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with the boundary of PM 36469. Said boundary is designated as "Diagram of Annexation of PM 36469 to Maintenance District No. 84-1, City of Perris, County of Riverside, State of California." The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of annexation and benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 5. A Consent and Waiver for Annexation to the District has been signed by the owners of the area within the proposed annexation. Said consent and waiver is included herein as Attachment No. 3.

**Assessment Roll
Annexation of PM 36469 to
Maintenance District No. 84-1
City of Perris**

Parcel Number	Assessment Number	Assessor Parcel Number	Estimated Annual Assessment	Fiscal Year 2014/2015
Parcel 1	302-160-024	302-160-024	\$4,149.93	\$00.00
Parcel 1	302-170-015	302-170-015	<u>5,267.59</u>	<u>00.00</u>
Total Parcel 1			\$9,417.52	\$00.00
Parcel 2	302-050-031	302-050-031	\$5,063.49	\$00.00
Parcel 2	302-050-032	302-050-032	<u>1,943.76</u>	<u>00.00</u>
Total Parcel 2			\$7,007.25	\$00.00
Totals			\$16,424.77	\$00.00

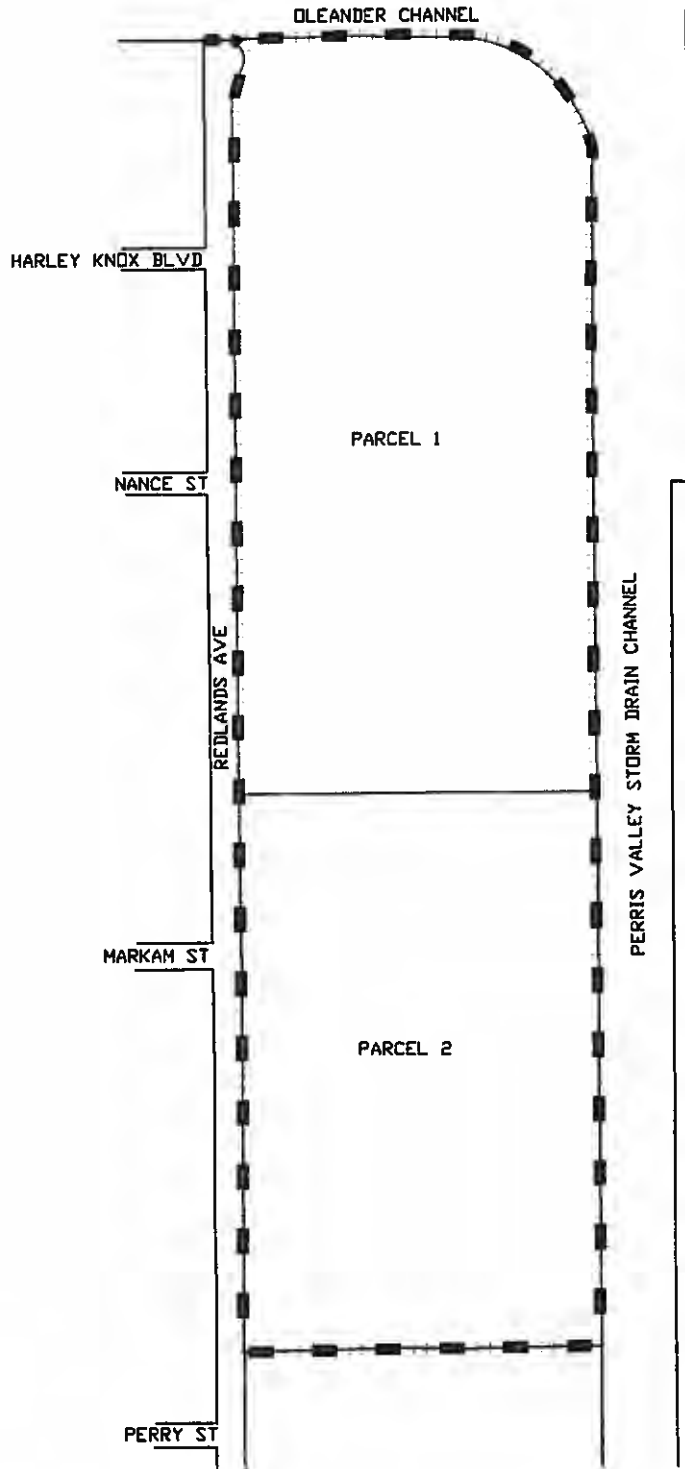
The Estimated Annual Assessment amount is subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and
- 2) the Southern California Edison rate increase(s) effective in subsequent years.

DIAGRAM OF ANNEXATION OF PARCEL MAP 36469 TO MAINTENANCE DISTRICT 84-1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

- ANNEXATION BOUNDARY
- PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

CONSENT AND WAIVER TO ANNEXATION

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "Maintenance Districts"); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

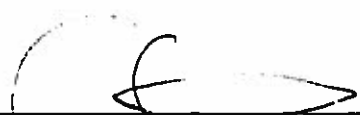
WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer's "Report" pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer's "Report" pertaining to the annexation of the undersigned's property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit "A" attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" pertaining to such annexation.

Dated: JANUARY 15, 2014



Property Owner Name

26632 TOWNE CENTRE DR. # 320
FOOTHILL RANCH, CA 92610

Property Owner Address

Property Owner Name

Property Owner Address

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of ORANGE

On January 15, 2014 before me, Nicole Lynn Williams, Notary Public

personally appeared ALAN J. SHARP



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies) and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Nicole Lynn Williams

OPTIONAL Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document Title or Type of Document Consent of Waiver to Annexation Document Date: 1/15/2014 Number of Pages 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: ALAN J. SHARP Signer's Name:

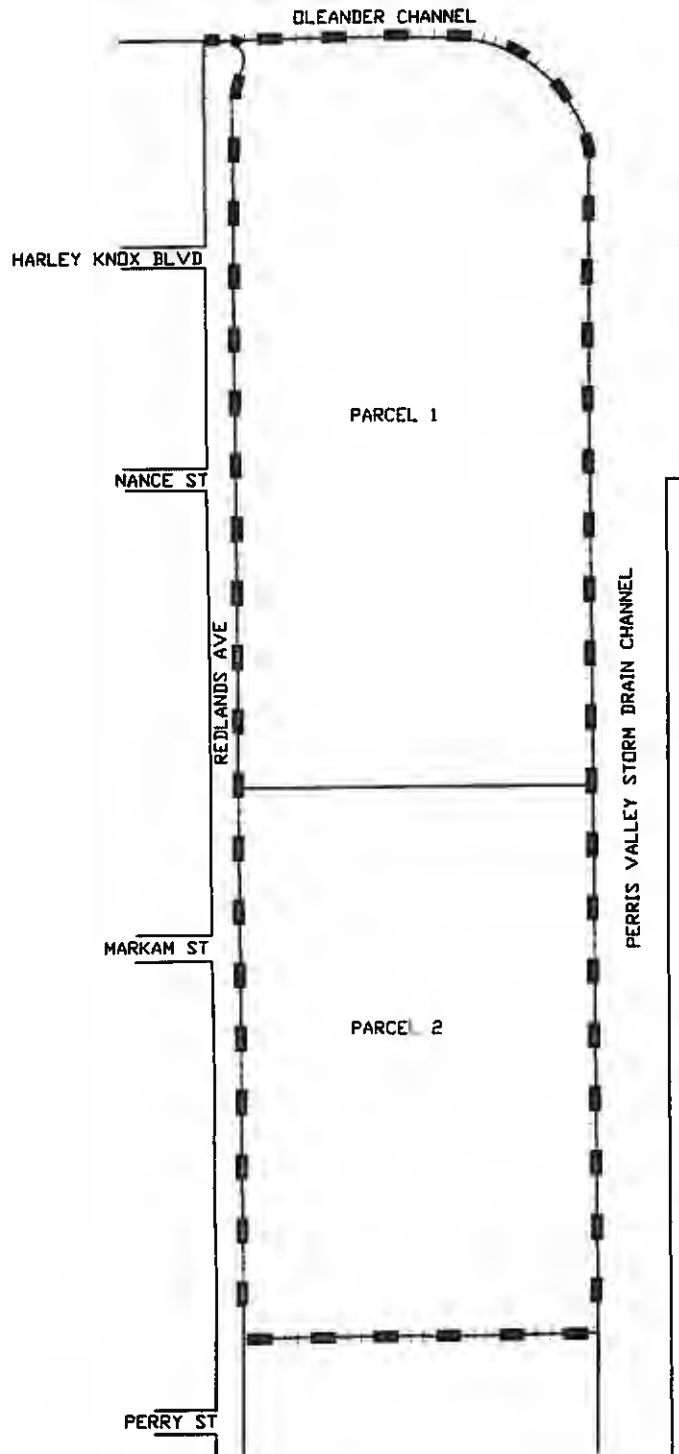
- Corporate Officer - Title(s) Individual Partner - Limited General Attorney in Fact Trustee Guardian or Conservator Other: SR. Vice President, RMD

Signer Is Representing IDE, LLC Stratford Ranch, LLC

EXHIBIT "A" TO CONSENT AND WAIVER FOR ANNEXATION OF PARCEL MAP 36469 TO MAINTENANCE DISTRICT NO. 84-1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

- ANNEXATION BOUNDARY
- PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

RESOLUTION NUMBER

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, OF PRELIMINARY APPROVAL OF
ENGINEER'S REPORT FOR ANNEXATION OF PM 36469
TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER
84-1**

WHEREAS, on the 10th day of February, 2015, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ___ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no portion of the report requires or should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

Section 2. That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

Section 3. That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

Section 4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.

ADOPTED, SIGNED and **APPROVED** this 10th day of February, 2015.

Mayor, Daryl R. Busch

Attest:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, City CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF PM 36469 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON APRIL 14, 2015

The City Council of the City of Perris, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. Description of Work: That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of streetlight and traffic signal facilities as authorized by Section 22525 of the Streets and Highways Code, State of California.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

Section 2. Location of Work: The improvements to be maintained and serviced consist of the streetlights and traffic signals within said annexation.

Section 3. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of PM 36469 to Maintenance District Number 84-1" heretofore approved by the City Council of said City by Resolution No. _____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

Reference is hereby made to said map for a further, full, and more particular description of said assessment district, and the said map so on file shall govern for all details as to the extent of said assessment district.

Section 4. Report of Engineer: The City Council of said City by Resolution Number _____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of PM 36469, to Maintenance District Number 84-1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 5. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the streetlights and traffic signals and appurtenant facilities is \$46.28 per Benefit Unit (single family home), plus an inflation factor not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

Section 6. Time and Place of Public Hearing: Notice is hereby given that on April 14, 2015, at 6:00 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

Section 7. Landscaping and Lighting Act of 1972: All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

Section 8. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published three times as required by Section 22626 and 22552 of the California Streets and Highways Code, with the first publication occurring no later than 45 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris City News is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

Section 9. Mailing of Notice: The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 53753 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 10. Designation of Contact Person: That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

Section 11. Certification: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Mayor, Daryl R. Busch

Attest:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date February 10, 2015

SUBJECT: Annexation of PM 36469 to Flood Control MD No. 1

REQUESTED ACTION: Adoption of Resolution of Intention to Annex PM 36469 to Flood Control Maintenance District No. 1 and set a public hearing date of April 14, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: PM 36469 is an 84.5-acre project located on the east side of Redlands Avenue with the Oleander Channel along the north boundary and the Perris Valley Storm Drain Channel along the east boundary. The project is under the ownership of Stratford Ranch LLC.

As a condition of approval, the project is required to annex into FCMD 1. This district provides revenue for the annual maintenance of interior streets (residential only) and flood control improvements installed in conjunction with new development.

The project will benefit from the maintenance and servicing of the public flood control facilities that protect the PM 36469 from inundation. The public facilities include catch basins and 18-, 24- and 48-inch reinforced concrete pipe.

BUDGET (or FISCAL) IMPACT: The maximum annual assessment is \$5,637.84, plus inflation factors 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

Reviewed by:

Assistant City Manager Ac

City Attorney _____

Attachments: 1. Engineer's Report
2. Resolution of Intention to Annex PM 36469 to Flood Control MD No. 1

Consent:

AGENCY: City of Perris

**PROJECT: Annexation of PM 36469
To Benefit Zone 81, Flood Control Maintenance District No. 1**

**TO: City Council
City of Perris
State of California**

REPORT PURSUANT TO "BENEFIT ASSESSMENT ACT OF 1982"

Pursuant to the direction from the City Council of the City of Perris, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Part 1 of Division 2 of Title 5 of the Government Code of the **STATE OF CALIFORNIA**, being the "Benefit Assessment Act of 1982", as amended, commencing with Section 54703. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2014 to June 30, 2015, for that area to be known and designated as:

**"Annexation of PM 36469
To Benefit Zone 81, Flood Control Maintenance District No. 1"**

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 10th day of February, 2015.

**HABIB M. MOTLAGH, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 14th day of April 2015, by adoption of Resolution No. _____ of the City Council.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 10th day of February 2015.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

Report

PART 1. **A General Description** of the flood control improvements includes facilities that will accommodate the storm flow and protect PM 36469 from inundation. These improvements channel, contain and convey the storm flow to the Perris Valley Storm Drain Channel. These improvements are generally described as follows:

- Catch basins
- 18", 24", and 48" reinforced concrete pipe

Maintenance and upkeep of these storm drainage facilities includes, but is not be limited to, general cleanup and debris removal, inspections, stenciling, replacement and repairs. Annual photo documentation is scheduled to take place, along with silt removal as required. Depending on that year's storm drain flow and the level of debris in the flow, a system cleaning may be required after the first rain and again during or at the end of the rainy season.

It is noted that all private on-site storm drain facilities and the facilities identified on the plans and specifications prepared by Albert A. Webb Associates and entitled, "Precise Grading Plan for Phase 1, Stratford Ranch – Parcel Map 36469, Amended DPR No. 11-12-0004", are to be maintained by the property owner and not the City of Perris.

PART 2. **Plans and Specifications** for the improvements to be maintained for a fiscal year were prepared by Albert A. Webb Associates and are entitled as follows:

"Street Improvement Plans for Stratford Ranch – Parcel Map 36469, Amended DPR No. 11-12-0004", and

"Perris Valley MDP, Line "D"

The plans and specifications have been approved by both the City Engineer for the City of Perris and the Chief Engineer for the Riverside County Flood Control and Water Conservation District and are on file in the City of Perris Office of Community Development. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements, and by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

PART 3. **An Estimate** of the cost for the public improvements to be maintained and/or improved for a given fiscal year includes labor, equipment, materials, and appurtenances. Incidentals include annual engineering, legal, City Clerk, and finance expenses to the District, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

The maximum annual assessment is based on the estimated cost of maintaining the facilities. The annual assessment levied will be based on the actual expenses incurred by Benefit Zone 81.

With service intervals and staggered maintenance operations, revenue requirements for maintenance will fluctuate year to year. Each year's maintenance operations will be funded by that year's assessment plus the fund balance remaining from prior year assessments.

The estimated annual cost for maintenance of the facilities is listed below.

<u>Public Facility</u>	<u>Total Annual Cost</u>
Catch Basins	\$1,193.00
Storm Drains	<u>3,263.00</u>
Subtotal	\$4,456.00
Contingency	<u>445.60</u>
Total Maintenance Costs	\$4,901.60
Incidentals	736.24
Public Facilities Annual Cost	\$5,637.84

When the improvements are accepted, the City of Perris will assume the expenses of maintaining the improvements twelve months from the acceptance date. Zero costs will be incurred for the fiscal year commencing July 1, 2014 to June 30, 2015.

PART 4

The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of the Diagram, enclosed herein as Part 5.

The storm drainage facilities will accommodate the storm flow specifically impacting PM 36469. These improvements specifically benefit the area within the annexation; and, the improvements were required for the approval of, and as of consequence of, development of this area.

The method of assessment is based on units, with the benefit units assigned to the net area within Parcel Map 36469. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is equal to \$66.72 per net acre.

The Benefit Units assigned, and corresponding current maximum annual assessment, per parcel, are listed as follows:

<u>Parcel Map 36469</u>	<u>Assessor Parcel & Assessment Number</u>	<u>Net Acreage</u>	<u>Maximum Annual Assessment</u>
1	302-160-024	21.35	\$1,424.47
1	302-170-015	<u>27.10</u>	<u>1,808.11</u>
Parcel 1 Totals		48.45	\$3,232.58
2	302-150-028	26.05	\$1,738.06
2	302-160-025	<u>10.00</u>	<u>667.20</u>
Parcel 2 Totals		36.05	\$2,405.26
Total		84.50	\$5,637.84

The annual assessments are subject to inflation factors listed on the following page.

The annual assessments are subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2014 to June 30, 2015, reference is made to the Assessment Roll included herein as Attachment No. 1.

A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections are usually distributed by the County of Riverside the following January. A 6-month tax roll reserve for the current maintenance of the flood control facilities and incidental costs is estimated to be \$2,818.92.

PART 5. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with PM 36469. Said boundary is designated as "Diagram of Annexation of PM 36469 to Benefit Zone 81, Flood Control Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 6. A Petition for Annexation to the District has been signed by the owners of the area within the proposed annexation. Said petitions are included herein as Attachment No. 3.

Assessment Roll

**Annexation of PM 36469 to
Benefit Zone 81,
Flood Control Maintenance District No. 1, City of Perris**

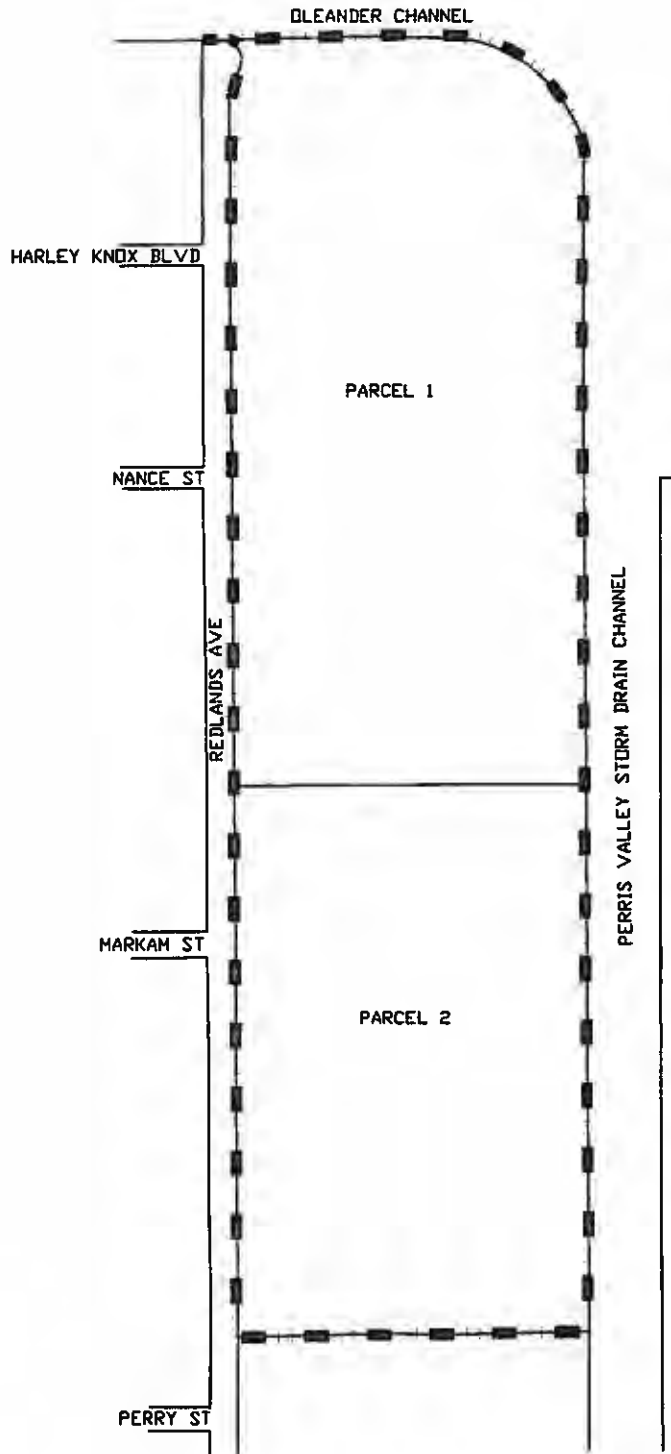
<u>Parcel Map 36469</u>	<u>Assessor Parcel & Assessment Number</u>	<u>Maximum Annual Assessment</u>	<u>Fiscal Year 2014/2015</u>
1	302-160-024	\$1,424.47	\$00.00
1	302-170-015	<u>1,808.11</u>	<u>00.00</u>
Parcel 1 Totals		\$3,232.58	\$00.00
2	302-150-028	\$1,738.06	\$00.00
2	302-160-025	<u>667.20</u>	<u>00.00</u>
Parcel 2 Totals		\$2,405.26	\$00.00
Total		\$5,637.84	\$00.00

The annual assessments are subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years

DIAGRAM OF ANNEXATION OF
PARCEL MAP 36469 TO BENEFIT ZONE 81
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

**PETITION FOR THE ANNEXATION TO A BENEFIT ASSESSMENT DISTRICT TO
FINANCE THE MAINTENANCE OF CERTAIN PUBLIC IMPROVEMENTS**

**BEFORE THE CITY COUNCIL OF THE CITY OF PERRIS,
STATE OF CALIFORNIA**

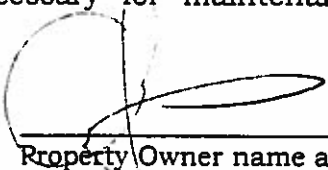
In the matter of the proposed)
Annexation to City of Perris)
Flood Control Maintenance District No. 1)

TO: The City Council of the City of Perris

We, the undersigned, hereby:

- (1) Petition you to initiate and complete all necessary proceedings under the Benefit Assessment Act of 1982, Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code for the annexation to a benefit assessment district for the maintenance of certain flood control improvements which benefit the property described on Exhibit "A" attached hereto and incorporated herein by this reference to the Maintenance District.
- (2) Certify that the proposed annexation to a benefit assessment district that will be subject to assessment for maintenance of such improvements, is that real property in the City of Perris, County of Riverside, State of California, generally described on Exhibit "A" attached hereto and incorporated herein by this reference to the Maintenance District.
- (3) Certify that we constitute the owners(s), including mortgagees or beneficiaries under any existing mortgage or subject to assessment for the proposed annexation, of the property in the proposed annexation to a benefit assessment district, as shown by the last equalized assessment roll used by the County of Riverside at the time this Petition is filed and also constitute the owner(s) of sixty percent (60%) of the area of all assessable lands within the proposed annexation to a benefit assessment district.
- (4) In order to expedite the project, agree to dedicate all necessary rights-of-way or easements as determined necessary for maintenance of the public improvements.

Dated: JANUARY 15, 2014



Property Owner name and address

26632 TOWNE Centre DR. #320
Foothill Ranch, CA 92610
Property Owner name and address

Please have notarized

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

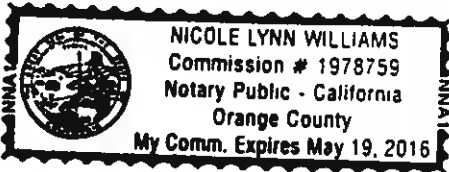
CIVIL CODE § 1189

State of California

County of ORANGE

On JANUARY 15, 2014 before me, Nicole Lynn Williams Notary Public,
Date Here insert Name and Title of the Officer

personally appeared Alan J. Sharp
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Nicole Lynn Williams,
Signature of Notary Public Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Petition For the Annexation to A Benefit Assessment District to Finance the maintenance of certain Public Improvements
Document Date: January 15, 2014 Number of Pages: 1

Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: ALAN J. SHARP

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator

Other: SR. VILL President/ RMD

Signer Is Representing _____

IDI, LLC
Streetford Ranch LLC

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other _____

Signer Is Representing: _____

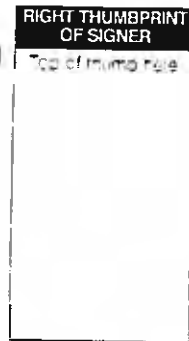
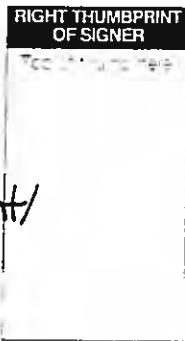
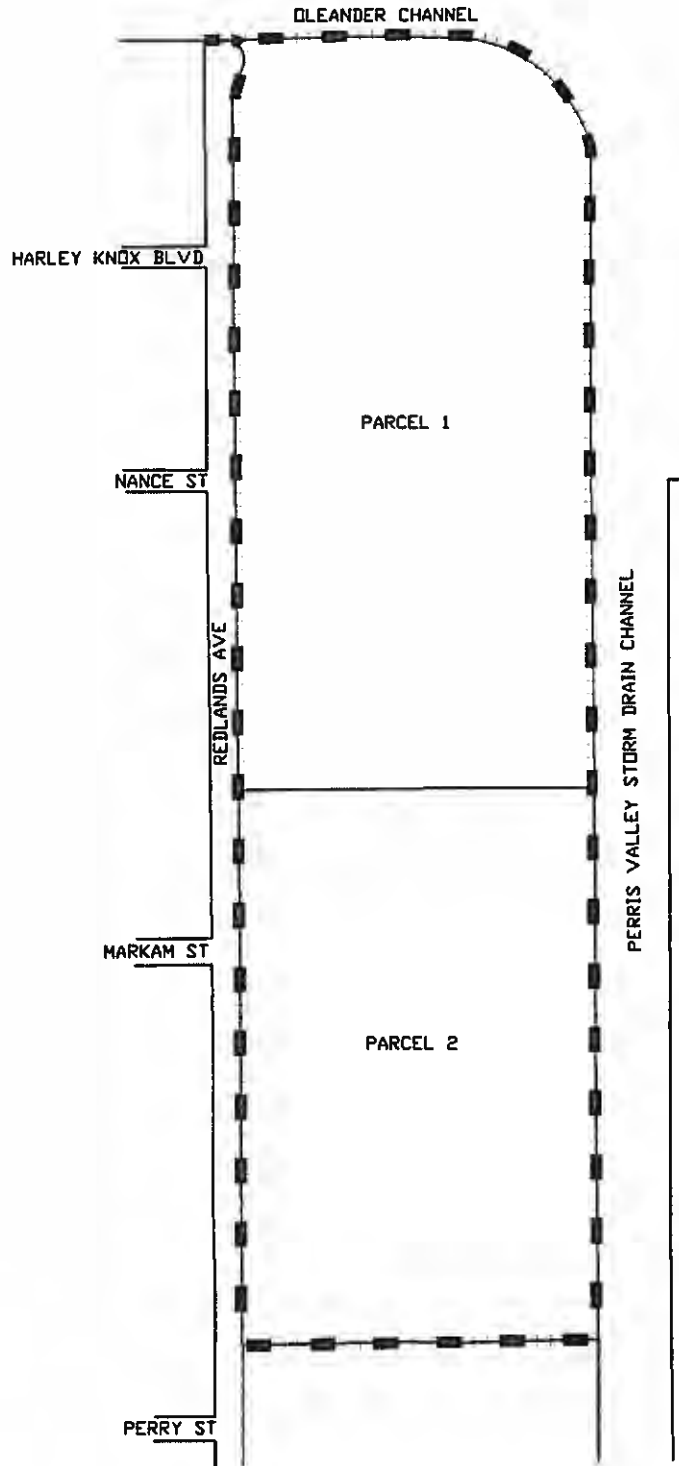


EXHIBIT "A" TO PETITION FOR
ANNEXATION OF PARCEL MAP 36469 TO BENEFIT ZONE 81
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

- ANNEXATION BOUNDARY
- PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF PM 36469 TO BENEFIT ZONE 81, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON APRIL 14, 2015

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("this City Council"), wishes to provide continued financing for necessary maintenance of certain flood control and drainage improvements within the boundaries of PM 36469 through the levy of benefit assessments pursuant to the provisions of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code commonly known as the "Benefit Assessment Act of 1982", (the "Act"); and

WHEREAS, Stratford Ranch, LLC, (the "Owners") have presented signed petitions to the City Council requesting the annexation of PM 36469 to a benefit assessment district to finance the maintenance of those certain drainage and flood control improvements permitted pursuant to Sections 54710 and 54710.5 of the Act (the "Improvements") which benefit properties within PM 36469; and

WHEREAS, the City Council now proposes to levy benefit assessments under the provisions of the Act to insure continued financing to maintain the Improvements pursuant to the Act, all for the benefit of parcels within PM 36469; and

WHEREAS, to accomplish such purposes, the City Council proposes to annex PM 36469 to Benefit Zone 81, Flood Control Maintenance District No. 1.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. The public interest, convenience, and necessity require, and it is the intention of the City Council pursuant to the provisions of the Act to maintain the Improvements for the benefit of the properties within the area of benefit.

Section 2. Maintenance of the improvements will be of direct benefit to parcels within PM 36469 which are hereby declared to be the properties benefited by the Improvements and to be assessed to pay the cost and expenses thereof. The area of benefit shall be all that part of the City within the boundaries shown on the map entitled "Diagram of Annexation of PM 36469 to Benefit Zone 81, Flood Control Maintenance District Number 1" on file in the office of the City Clerk of the City of Perris, California.

Section 3. At least forty-five (45) days prior to the date set for the hearing on the proposed assessment, the Assessment Engineer is hereby directed to file with the City Clerk a written report (the "Engineer's Report") pursuant to the Act, Government Code Section 53753 and Article XIID of the Constitution of the State of California, containing the following:

- a. A description of the service proposed to be financed through the revenue derived from the benefit assessments.
- b. A description of each lot or parcel of property proposed to be subject to the benefit assessments. The assessor's parcel number or Tract Map number shall be a sufficient description of the parcel.
- c. The amount of the proposed assessment for each parcel.
- d. The basis and schedule of the assessments.
- e. Other such matters as the Assessment Engineer shall deem appropriate.

Section 4. On the 14th day of April, 2015, at 6:00 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the annexation to the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

Section 5. The City Clerk is hereby directed to publish notice of the hearing on the proposed assessment and notice of the filing of the Engineer's Report once a week for two successive weeks, with at least five days intervening between the respective publication dates, not counting such publication dates, in the Perris City News, a newspaper of general circulation within the area of benefit. The notice shall be 1/8 of a page in size and contain the following information:

- a. The amount of the assessment.
- b. The purpose of the assessment.
- c. The total estimated assessments expected to be generated annually.
- d. The method and frequency for collecting the assessment.
- e. The date, time, and location of the public hearing.
- f. The phone number and address of an individual that interested persons may contact to receive additional information about the assessment.

The notice shall be published at least forty-five (45) days prior to the public hearing.

Section 6. The City Clerk is also hereby instructed to give additional notice of the hearing and notice of the filing of the Engineer's Report by posting a copy of this resolution in three public places within the City of Perris.

Section 7. Said notice shall be posted and first published at least forty-five (45) days before the date set for the public hearing.

Section 8. The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments, including the Owners. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 53753 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 9. That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date January 27, 2015

SUBJECT: Annexation of the PM 36469 to Landscape Maintenance District No. 1 (LMD 1)

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report
2. Adoption of Resolution Preliminarily Approving Engineer's Report
3. Adoption of Resolution of Intention to Annex the PM 36469 to LMD 1 and setting a public hearing date of April 14, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: PM 36469 is an 84.5-acre project located on the east side of Redlands Avenue with the Oleander Channel along the north boundary and the Perris Valley Storm Drain Channel along the east boundary. The project is under the ownership of Stratford Ranch LLC.

The landscaping benefit includes maintenance of the irrigation system, landscaping, and appurtenances located within the Redlands Avenue median and parkways along the west boundary of PM 36469.

As a condition of approval, the project is required to annex into LMD 1. This district was formed to finance the annual maintenance of landscape improvements installed in conjunction with new development.

BUDGET (or FISCAL) IMPACT: The current maximum annual assessment is \$42,468.01, plus inflation factors not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

Reviewed by:

Assistant City Manager AC

City Attorney _____

- Attachments:
1. Resolution Ordering Preparation of the Engineer's Report
 2. Engineer's Report
 3. Resolution Preliminarily Approving Engineer's Report
 4. Resolution of Intention to Annex the PM 36469 to LMD 1

Consent:

RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 110 (PM 36469) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof, all within the incorporated boundaries of the City of Perris, California; and

WHEREAS, the City Council has heretofore appointed Habib Motlagh, the City Engineer for the City of Perris, as the "Engineer of Work" for Landscape Maintenance District Number 1 and Shepherd & Staats, Incorporated has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California.

Section 2. That PM 36469 be defined as that area to be annexed to Benefit Zone 110, City of Perris Landscape Maintenance District Number 1.

Section 3. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled "Diagram of Annexation of PM 36469, to Benefit Zone 110, Landscape Maintenance District Number 1, City of Perris, County of Riverside, State of California."

Section 4. That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

Section 5. That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Shepherd & Staats, Incorporated, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

Section 6. That Habib Motlagh, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

Section 7. That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

Section 8. That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

AGENCY: City of Perris

**PROJECT: Annexation of PM 36469
To Benefit Zone 110, Landscape Maintenance District No. 1**

**TO: City Council
City of Perris
State of California**

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the **STATE OF CALIFORNIA**, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2014 to June 30, 2015, for that area to be known and designated as:

**"Annexation of PM 36469
To Benefit Zone 110, Landscape Maintenance District No. 1"**

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 10th day of February, 2015.

**HABIB M. MOTLAGH, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 14th day of April 2015, by adoption of Resolution No. _____ of the City Council.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 10th day of February 2015.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

Report

PART 1. Plans and Specifications for the improvements to be maintained and/or improved for a fiscal year are in the process of being designed for acceptance by the City of Perris. In general the landscaping, irrigation, and appurtenances to be maintained are within the public medians and parkways along Redlands Avenue bordering PM 36469.

Reference is made to the following landscaping plans and specifications:

Prepared by Hunter Landscape that is entitled, "Landscape Improvement Plans for IDI, LLC, Redland Avenue, Perris, California", and

Prepared under the supervision of Thomas K. Hayes that is entitled, "Redlands Ave and Trail Street Improvement Plans".

Reference is also made to the exhibit prepared for Eastern Municipal Water District by Albert A. Webb Associates, that is entitled, "Stratford Ranch, RWUE, Amended Development Plan No. 11-12-0004, WO 15278".

For further information on the location of the improvements and the public right-of-way, reference is made to the plans and specifications prepared by Albert A. Webb Associates that are entitled, ""Street Improvement Plans for Stratford Ranch – Parcel Map 36469, Amended No. DPR 11-12-0004, City of Perris, California".

It is noted that the maintenance of all facilities located within the inside property-line is the responsibility of the property owner. It is also noted that maintenance of the Redlands Avenue median between Perry Street and the Ramona Expressway are not to be maintained by or assessed to Benefit Zone 110.

Upon final approval, plans and specifications for the improvements will be on file in the City of Perris Office of Community Development and, by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto. The plans and specifications will sufficiently show and describe the general nature, location and extent of all the improvements.

PART 2. An Estimate of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, water, electricity, materials and plant replacement, and appurtenances. The annual cost for the public improvements is estimated as follows:

<u>Item</u>	<u>Total Quantity</u>		<u>Unit</u>	<u>Cost</u>	<u>Annual Cost</u>		<u>Total</u>
	<u>Medians</u>	<u>Parkways</u>			<u>Medians</u>	<u>Parkways</u>	
Maintenance	28,200	16,695	SF	\$0.52	\$14,664.00	\$8,681.40	\$23,345.40
Plant Replacement	135	80	Each	15.75	2,126.25	1,260.00	3,386.25
Tree Trimming	29	142	0.50	80.00	<u>1,160.00</u>	<u>5,680.00</u>	<u>6,840.00</u>
Subtotal					\$17,950.25	\$15,621.40	\$33,571.65
Contingency					<u>1,795.03</u>	<u>1,562.14</u>	<u>3,357.17</u>
Total Maintenance					\$19,745.28	\$17,183.54	\$36,928.82
Incidentals					2,961.79	2,577.40	5,539.19
Balance to Assessment					\$22,707.07	\$19,760.94	\$42,468.01

The maximum annual assessment is based on the estimated cost of maintaining the improvements at maturity. The annual assessment levied will be based on the actual annual expenses incurred by Benefit Zone 110.

Due to the soil, water, exposure, and pedestrian traffic, plant replacement is estimated at a 3% die-off rate at 2-feet on-center. Tree trimming is scheduled to occur every other year.

Incidental costs include annual engineering, legal, City Clerk, Finance Department, and Public Works expenses, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections is usually distributed by the County of Riverside the following January. A 6-month tax roll reserve, based on the annual cost of the improvements is \$21,234.00.

The developer shall be responsible for the maintenance and upkeep of the public landscaping set forth herein for a period of one year after acceptance of the improvements by the City. Benefit Zone 110, for the fiscal year commencing July 1, 2014 to June 30, 2015, will incur zero costs.

PART 3. The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of Benefit Zone 110, as shown on the Diagram, enclosed herein as Part 4.

The area within Parcel Map 36469 specifically benefits from the maintenance of the medians and parkways along the streets that provide ingress and egress to all parcels. The improvements benefiting the parcels were required as a condition of approval for Parcel Map 36469.

The method of assessment is based on units, with the benefit units assigned to the net area within Parcel Map 36469. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is equal to \$502.58 per net acre.

The Benefit Units assigned, and corresponding current maximum annual assessment, per parcel, are listed as follows:

Parcel	Assessor Parcel & Assessment Number	Net Acreage	Maximum Annual Assessment
1	302-160-024	21.35	\$10,730.08
1	302-170-015	<u>27.10</u>	<u>13,619.92</u>
Parcel 1 Totals		48.45	\$24,350.00
2	302-150-028	26.05	\$13,092.21
2	302-160-025	<u>10.00</u>	<u>5,025.80</u>
Parcel 2 Totals		36.05	\$18,118.01
Total		84.50	\$42,468.01

The annual assessments are subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2014 to June 30, 2015, reference is made to the Assessment Roll included herein as Attachment No. 1.

PART 4. **A Diagram of the Annexation.** The boundary of the area to be annexed is coincident with PM 36469. Said boundary is designated as "Diagram of Annexation of PM 36469 to Benefit Zone 110, Landscape Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 5. **A Consent and Waiver for Annexation** to the District has been signed by the owners of the area within the proposed annexation. Said consent and waiver are included herein as Attachment No. 3.

**Assessment Roll
Annexation of PM 36469 to
Benefit Zone 110,
Landscape Maintenance District No. 1, City of Perris**

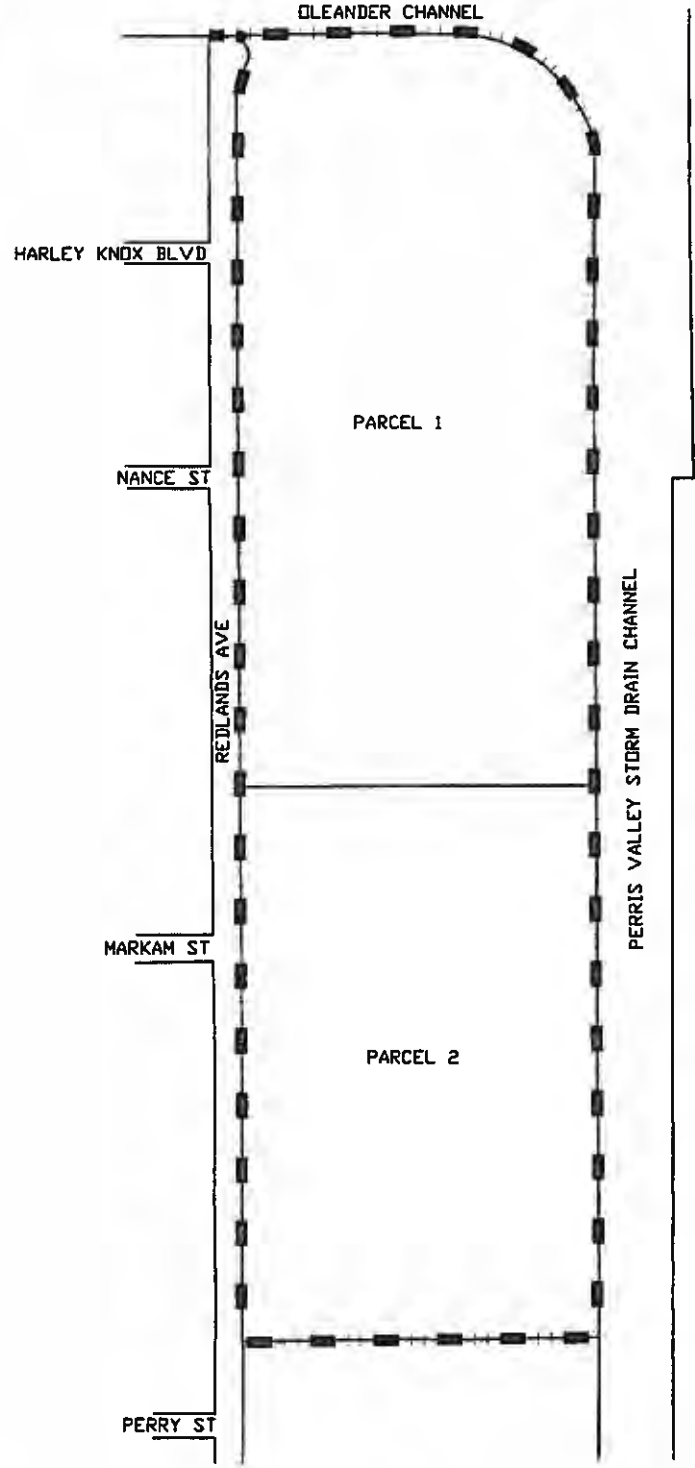
Parcel Map 36469	Assessor Parcel & Assessment Number	Estimated Annual Assessment	Fiscal Year 2014/2015
Parcel 1	302-160-024	\$10,730.08	\$00.00
Parcel 1	302-170-015	<u>13,619.92</u>	<u>00.00</u>
Parcel 1 Totals		\$24,350.00	\$00.00
Parcel 2	302-150-028	\$13,092.21	\$00.00
Parcel 2	302-160-025	<u>5,025.80</u>	<u>00.00</u>
Parcel 2 Totals		\$18,118.01	\$00.00
Total		\$42,468.01	\$00.00

The Estimated Annual Assessment amount is subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

DIAGRAM OF ANNEXATION OF PARCEL MAP 36469 TO BENEFIT ZONE 110 LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

CONSENT AND WAIVER TO ANNEXATION

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "Maintenance Districts"); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

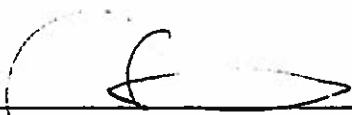
WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer's "Report" pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer's "Report" pertaining to the annexation of the undersigned's property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit "A" attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" pertaining to such annexation.

Dated: JANUARY 15, 2014



Property Owner Name

26632 TOWNE CENTRE DR. # 320
FOOTHILL RANCH, CA 92610

Property Owner Address

Property Owner Name

Property Owner Address

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

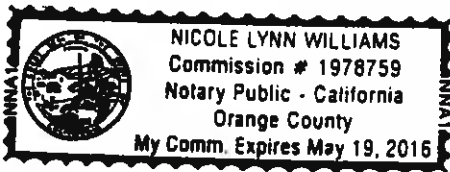
CIVIL CODE § 1189

State of California

County of ORANGE

On January 15, 2014 before me, Nicole Lynn Williams, Notary Public

personally appeared ALAN J. SHARP



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Nicole Lynn Williams

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document: Consent of Waiver to Annexation

Document Date: 1/15/2014 Number of Pages: 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: ALAN J. SHARP

- Corporate Officer - Title(s)
Individual
Partner - Limited General
Attorney in Fact
Trustee
Guardian or Conservator

Other: SR. Vice President, RMD

Signer Is Representing IDE, LLC Stratford Ranch, LLC

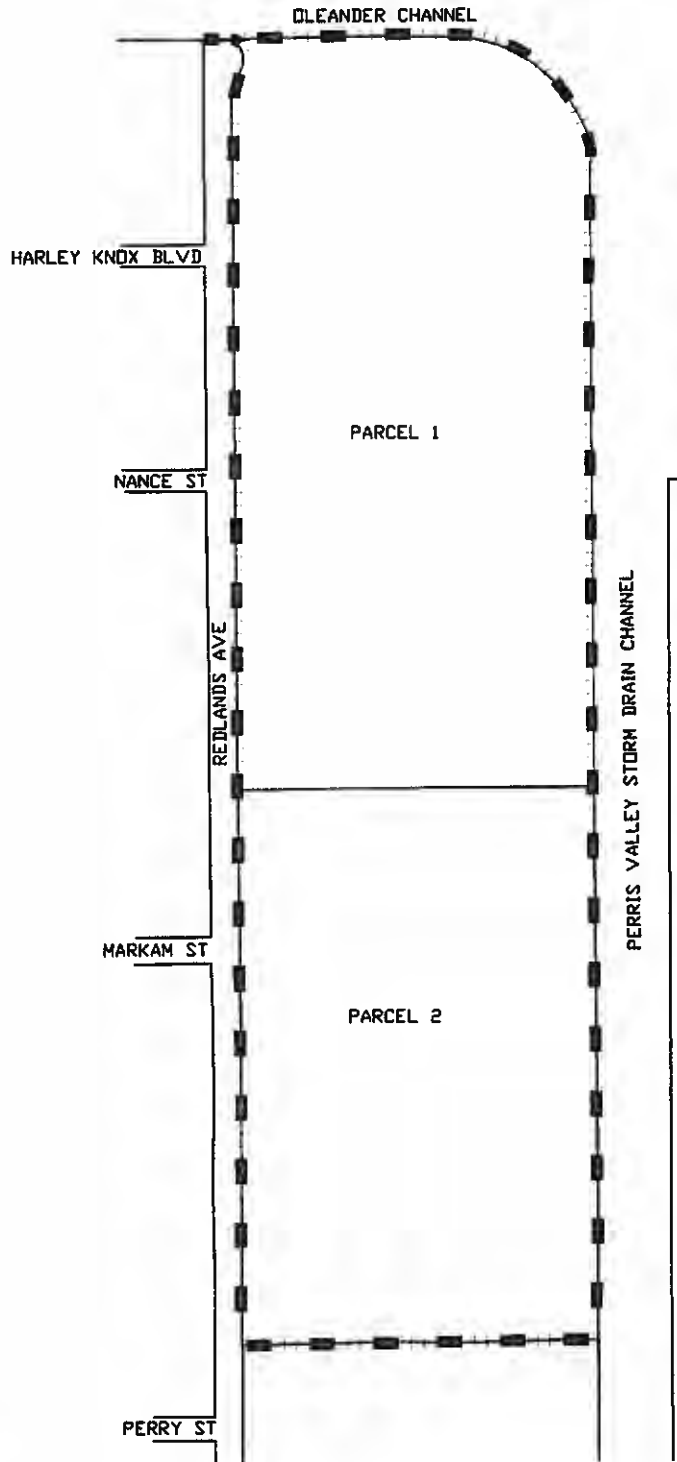
Signer's Name:

- Corporate Officer - Title(s)
Individual
Partner - Limited General
Attorney in Fact
Trustee
Guardian or Conservator

Other:

Signer Is Representing

EXHIBIT "A" TO CONSENT AND WAIVER FOR
ANNEXATION OF PARCEL MAP 36469 TO BENEFIT ZONE 110
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



LEGEND

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF PM 36469 TO BENEFIT ZONE 110, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, on the 10th day of February, 2015, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number _____ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no portion of the report requires or should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

Section 2. That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

Section 3. That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

Section 4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 110, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 110, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF PM 36469 TO BENEFIT ZONE 110, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON APRIL 14, 2015

The City Council of the City of Perris, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. Description of Work: That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of landscaping as authorized by Section 22525 of the Streets and Highways Code, State of California.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

Section 2. Location of Work: The improvements to be maintained and serviced include the irrigation system, landscaping, and appurtenances benefiting PM 36469.

The improvements, located in public rights-of-way, are located in the Redlands Avenue medians and parkways bordering Benefit Zone 110.

Section 3. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of PM 36469 to Benefit Zone 110, Landscape Maintenance District Number 1" heretofore approved by the City Council of said City by Resolution No ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

Reference is hereby made to said map for a further, full, and more particular description of said assessment district, and the said map so on file shall govern for all details as to the extent of said assessment district.

Section 4. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of PM 36469 to Benefit Zone 110, Landscape Maintenance District Number 1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 5. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the public landscaping and appurtenant facilities is equal to \$42,468.01, plus inflation factors not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

Section 6. Time and Place of Public Hearing: Notice is hereby given that on April 14, 2015, at 6:00 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

Section 7. Landscaping and Lighting Act of 1972: All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

Section 8. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published three times as required by Section 22626 and 22552 of the California Streets and Highways Code, with the first publication occurring no later than 45 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris Progress is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

Section 9. Mailing of Notice: The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 54953 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 10. Designation of Contact Person: That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

Section 11. Certification: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: February 10, 2015

SUBJECT: Investment Report – Quarter Ended December 31, 2014

REQUESTED ACTION: Receive and File Quarterly Investment Report for the Quarter Ended December 31, 2014

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION: the California Government Code establishes requirements for Treasurer's Investment Reports and investment practices. Section 53646 of the Code states that the City's Treasurer shall render a quarterly report to the City Manager and City Council.

The earnings for the second quarter of 2014-15, as presented in this report, are \$96,402.20.

The City continues to employ an investment strategy of maximizing yield while maintaining security of the City's invested funds as specified in the investment policy adopted by the Council.

BUDGET (or FISCAL) IMPACT: Interest income earned for the second quarter of Fiscal Year 2014-2015 as reported is \$96,402.20 The projected interest income for the General Fund is \$23,577.52.

Assistant City Manager 

Attachments:
Memorandum
Quarterly Investment Report

Consent: X
Public Hearing:
Business Item:
Other:



CITY OF PERRIS

DEPARTMENT OF FINANCE

101 North 'D' Street, Perris, CA 92570-2200

TEL: 951-943-4610 FAX: 951-943-5065

Memorandum

TO: Honorable Mayor and Members of the Perris City Council
FROM: Jim Raia, Accountant II
PREPARED BY: Jim Raia, Accountant II
APPROVED BY: Jennifer Erwin, Assistant Finance Director
DATE: February 10, 2015
SUBJECT: Quarterly Investment Report as of December 31, 2014

We hereby certify that this quarterly investment report (see attached Exhibit A) accurately reflects all investments and is in compliance with the City's Investment Policy (see Compliance Table Exhibit B). Sufficient investment liquidity and anticipated revenues are available to meet budgeted expenditures for the next six months.

Submitted by:

Jim Raia, Accountant II

1/26/15
Date

Approved by:

Jennifer Erwin, Assistant Finance Director

1/27/15
Date

EXHIBIT A

City of Perris
Quarterly Investment Report
 October 1, 2014 - December 31, 2014

Current Quarter Ending December 31, 2014

Type of Investment	Institution	Maturity Date	Deposit Amount *	Interest Received
Pooled	Citizens Business Bank (Premiere Money Market)	Liquid	4,842,520.41	1,786.18
Pooled	Citizens Business Bank (Investment)	Liquid	19,717,551.87	23,150.64
Pooled	Local Agency Investment Fund (LAIF)	Liquid	3,351,748.25	2,147.65
Pooled	U.S. Bank (Investment)	Liquid	27,624,834.53	25,395.15
Pooled	Chandler Asset Management	Liquid	42,288,700.92	43,922.58
			Total Interest Earning for Period Ending December 31, 2014:	\$ 96,402.20

* Average Quarterly Cash Balance per Investment Account

CITY OF PERRIS
Projected Cash Balances & Projected Interest Income as of December 31, 2014
Fiscal Year 2014 - 2015

FUND #	FUND NAME	Projected Balances as of 12/31/2014	Projected Interest Income for quarter ending 12/31/2014
001	GENERAL FUND*	23,777,528.22	23,577.52
106	RAILWAY DEPOT RESTORATION	126,799.98	125.73
109	AQMD - AIR QUALITY MANAGEMENT	249,482.05	247.38
112	TRAFFIC SAFETY	1,731,146.99	1,716.58
115	OFFICE OF TRAFFIC SAFETY	115,719.37	114.75
119	STATE GRANTS	404,604.94	401.20
121	STREET LIGHTING - PROPERTY TAX	1,121,893.36	1,112.46
124	STREET LIGHTING - MD 84-1	894,089.76	886.57
127	LANDSCAPE MAINTENANCE DISTRICT 1	2,189,197.20	2,170.78
130	FLOOD CONTROL MAINTENANCE DISTRICT	5,652,370.21	5,604.82
133	ROAD & BRIDGE BENEFIT DISTRICT	4,842,364.61	4,801.63
136	GAS TAX	4,581,307.45	4,542.77
142	MEASURE A	3,389,262.37	3,360.75
157	CITY PROJECTS - EXTERNAL CONTRIBUTIONS	3,235,761.02	3,208.54
160	STORM DRAIN DEVELOPER FEES	11,334,984.52	11,239.64
163	DEVELOPMENT FEES	18,129,278.06	17,976.78
165	COMM ECONOMIC DEV CORP	6,808,747.73	6,751.47
170	HUD - NSP3 - FEDERAL	224,677.77	222.79
171	HCD - HOME - FEDERAL	41,715.08	41.36
172	CDPH PROP 84 FA #84-10C30	18,399.05	18.24
204	CFD 90-2 GREEN VALLEY	8,084.19	8.02
205	CFD 91-1 SPECTRUM	120,986.98	119.97
206	CFD 93-1R MAY RANCH	24,348.37	24.14
208	CFD 93-2R PERRIS PLAZA	80,969.51	80.29
212	CFD 2001-1 MAY FARMS IA #4-7	11,205.02	11.11
216	CFD 200X WILLOWBROOK #2	47,252.00	46.85
217	CFD 2003-1 CHAPARRAL RIDGE	6,658.61	6.60
219	CFD 2004-5 AMBER OAKS II	1,088.09	1.08
220	CFD 2004-2 CLC	2.66	0.00
221	CFD 2004-3 MONUMENT RANCH	9,599.41	9.52
222	CFD 2004-3 MONUMENT RANCH IA#2	4,133.82	4.10
224	CFD 2005-2 HARMONY GROVE	47,985.04	47.58
226	CFD 2006-3 ALDER	228,589.65	226.67
227	CFD 2006-1 MERITAGE HOMES	0.30	0.00
228	CFD 2006-2 MONUMENT PARK	236,246.82	234.26
229	CFD 2005-1 #3 LENNAR	25,706.31	25.49
230	CFD 2005-1 #3 CENTEX	3,965.45	3.93

CITY OF PERRIS
Projected Cash Balances & Projected Interest Income as of December 31, 2014
Fiscal Year 2014 - 2015

FUND #	FUND NAME	Projected Balances as of 12/31/2014	Projected Interest Income for quarter ending 12/31/2014
232	CFD 2001-1 MAY FARMS #5	7,556.40	7.49
234	CFD 2001-1 MAY FARMS #6	25,794.81	25.58
235	CFD 2001-1 MAY FARMS #7	37,479.92	37.16
237	CFD 88-1 (NEW)	36,307.42	36.00
238	CFD 88-3 (NEW)	30,853.95	30.59
239	CFD 90-1 (NEW)	22,433.67	22.24
240	CFD 2007-2 PACIFIC HERITAGE	244,166.65	242.11
241	CFD 2002-1R WILLOWBROOK	14,093.24	13.97
242	CFD 2001-1 #1R MAY FARMS	2,530.41	2.51
243	CFD 2001-1 #2R MAY FARMS	22,922.84	22.73
244	CFD 2001-1 #3R MAY FARMS	13,139.73	13.03
245	CFD 2001-2R VIL OF AVALON	615,138.12	609.96
246	CFD 2006-1R MERITAGE	2,103.82	2.09
248	CFD 2004-3R MONUMENT RANCH	3,332.58	3.30
249	CFD 2004-2R CLC	10,136.27	10.05
271	AD 86-1 93 SERIES A	51,504.83	51.07
305	CFD 91-1 CAPITAL PROJECTS	342,894.96	340.01
431	JPA 2013 SERIES A	49,769.59	49.35
501	WATER FUND - CITY	361,615.41	358.57
502	WATER FUND - MCCANNA	193,175.51	191.55
511	SEWER FUND - CITY	1,739,939.76	1,725.30
512	SEWER FUND - MCCANNA	125,037.48	123.99
521	SOLID WASTE FUND - CITY	1,470,308.36	1,457.94
750	CAPITAL PROJECT AREA/SUCCESSOR	714,873.02	708.86
751	DEBT SERVICE FUNDS/SUCCESSOR	554,446.89	549.78
801	TRUST FUND	802,286.17	795.54
Total:		97,219,993.78	96,402.20

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: February 10, 2015

SUBJECT: Evans Road Closure

REQUESTED ACTION: Authorize Closure of Evans Road Between Orange Avenue and Citrus Avenue

CONTACT: Habib Motlagh, ^{dh}City Engineer

BACKGROUND/DISCUSSION: Mr. Ford, a representative of Pulte Homes developing Tr. 30850 located along Evans Road south of Orange Avenue is requesting Council approval to close Evans Road between Citrus and Orange Avenue for a period of 25 weeks (125 working days) between March and late August (see attached letter).

The purpose of the closure is to install the ultimate street improvements on both sides including, storm drain, landscaped medians, and other work as conditioned for both this tract and Orange Vista High School currently under construction.

Similar to other closures, there are several conditions that are recommended to be part of the approval. The following additional comments shall be required before start of construction:

- The detailed traffic control plans must be submitted in advance to City for review.
- Minimum of 10 working days prior to start of construction, adequate signage shall be installed including flashing message signs to advise of the project and road closure.
- Minimum of 5 working days prior to start of closure, the contractor/developer must notify the police, fire, and other emergency services including school districts, CR&R, RTA, as well as written notifications to residents.
- Prior to closure, the developer shall post with City a minimum cash deposit in the sum of \$25,000. The developer will be penalized \$2,500 for each and every working day keeping the road closed beyond the approved dates excluding rain and reasonable utility delays as determined by City Engineer. Additional penalties assessed @ \$2,500 per day beyond the original 10 days will be charged if needed.
- Prior to closure, the Developer shall submit written verification from EMWD and other utilities confirming their schedule.

Mr. Ford of Pulte Homes will be present at the meeting to discuss his letter and to respond to questions.

BUDGET (or FISCAL) IMPACT: All costs associated with the construction is paid by the developer.

Reviewed by:
City Attorney
Assistant City Manager *he*

Attachments: Pulte Homes Letter Dated January 21, 2015 & Exhibit

Consent: Yes
Public Hearing:
Business Item:
Other:

City of Perris

January 21, 2015

Public Works

Habib Motlagh

Dear Habib,

Pulte Homes would request the road closure of the Evans Rd between Orange Ave and Citrus Street. The work proposed encompasses the sewer, reclaimed water line replacement, curb and gutter, grading and fill, storm drain, dry utilities, street base and paving. This work is being done cooperatively with the Val Verde School District. Pulte will be the construction manager for the two parties.

The Traffic control plan submittal is included.

The schedule of work would be to have the approvals for the closure by the City council subject to having a 5-7 day notice before starting. That would give us a flexible start date even though we have dates shown below.

The notice would provide information to the following agencies and emergency providers. Fire, Police, schools, RTA, EMWD, and whomever else is requested by the City of Perris.

Once the notice has been provided then work could start

The closure would be for the period of 125 working days. Approximate start date of Feb23 and the end date of August 14.

Please advise as to the ability to get this on the agenda as soon as possible . Can it happen on the 27th?

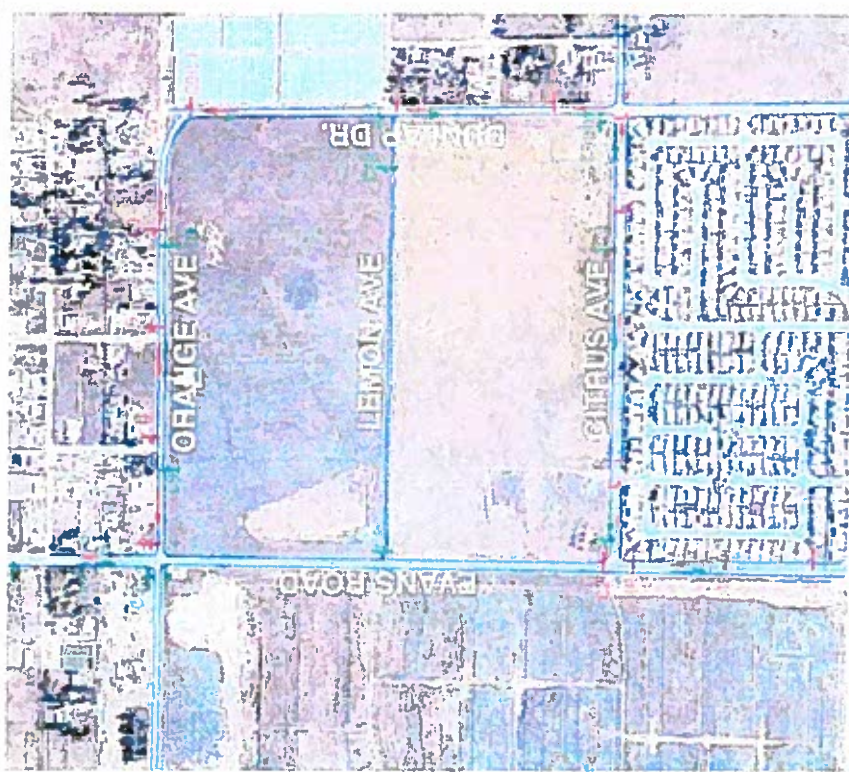
Please advise

Thanks in advance

Steven J Ford




Pulte Homes

951-538-5835






TRAFFIC CONTROL PLANS FOR EVANS ROAD CLOSURE

TRAFFIC CONTROL SIGNS

 C7
 C2
 C9
 C19

LEGEND

 NB EVANS ROAD TRAFFIC DETOUR DIRECTION
 SB EVANS ROAD TRAFFIC DETOUR DIRECTION
 TRAFFIC CONTROL SIGNS

NTS

2620 EVANS ROAD
 SAN DIEGO, CA 92116
 (619) 481-0707
 (FAX) (619) 291-7165

RICK
 TRAFFIC CONTROL SIGNS

RICK TRAFFIC CONTROL SIGNS, INC. IS AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER.
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**CITY COUNCIL
AGENDA SUBMITTAL**

Meeting Date: February 10, 2015

SUBJECT: Resolution Instituting Foreclosure Proceedings in regards to CFD Nos. 2004-3, 2004-5, 2005-2 and 2005-4

REQUESTED ACTION: It is recommended that the City Council approve Resolution No. ____.

Resolution No. ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL TAXES RELATED TO COMMUNITY FACILITIES DISTRICT NOS. 2004-3, 2004-5, 2005-2 AND 2005-4 OF THE CITY OF PERRIS, PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH"

CONTACT: Eric Dunn, City Attorney

BACKGROUND/DISCUSSION:

The City Council formed Community Facilities District Nos. 2004-3, 2004-5, 2005-2 and 2005-4 (the "Districts"), for the purpose of paying for public facilities within the areas serviced by the Districts. The City Council (the "Council") of the City of Perris, California (the "City"), on behalf of the Districts, has conducted proceedings, resulting in the issuance and sale of special tax bonds and/or refunding bonds for the Districts (the "District Bonds") pursuant to the Mello-Roos Community Facilities Act of 1982, constituting California Government Code Sections 53311, *et seq.* (the "Act").

The District Bonds are secured by special taxes levied within the Districts pursuant to election proceedings conducted under the Act, an Ordinance adopted by the City Council, and a notice of Special Tax Lien recorded against all taxable property within the Districts. Under the bond documents, the City has covenanted for the security of the bondholders to commence and diligently foreclose on the lien of any special tax not paid when due.

ISSUES/ANALYSIS:

Under the Act and the Fiscal Agent Agreements, the City Council may adopt a resolution authorizing the foreclosure of properties which are delinquent in their payment of special taxes within the Districts. Currently, there are five delinquent properties meeting the foreclosure criteria in the bond documents in the Districts. The attached resolution will order and authorize the city attorney, staff and appropriate consultants to commence and prosecute foreclosure proceedings on all properties delinquent in payment of their special tax payments within the Districts in accordance with the terms of the Act. The resolution will authorize and order future foreclosures on future delinquencies over the life of the bond issue, if any, without the need for further action by the City Council. The Resolution will also authorize the City Attorney to collect attorney fees and other costs as part of the foreclosure proceedings. The current delinquent properties are listed on Exhibit A to the Resolution.

As part of the collection proceedings, the City staff will provide an opportunity, if appropriate, for delinquent property owners to enter into payment plans with the City. Property owners are given the opportunity to become current in their payment of special taxes, interest and penalties associated therewith up until the foreclosure takes place.

Basically, the process will generally proceed to foreclosure as follows:

1. The City will review the delinquent taxes following each interest payment date and determine which properties are delinquent.
2. The special tax consultant will send out a notice informing the property owner of its delinquencies and stating that if it is not paid by a certain date, the property will be subject to foreclosure. The City will work with property owners and enter into payment plans to the extent the delinquencies are small amounts.
3. To the extent the delinquent taxes are not paid, the City will remove the taxes from the County Tax Roll, record appropriate notices, and begin the foreclosure process.
4. The City Attorney will file the complaint, and record appropriate notices with the Court and on the property and proceed with the foreclosure suit.
5. Following the foreclosure judgment which will give the City the right to take the property, the property will be sold at a tax sale.

The property owner will have the opportunity up until the property is sold at a tax sale to retrieve the property by paying the amount owing, including costs and attorneys' fees.

BUDGET (or FISCAL) IMPACT:

All foreclosure and related costs are paid through the administrative levy within the Districts and through the foreclosure proceeding. The City should not incur any separate costs.

Reviewed by:

City Attorney

Assistant City Manager *Re*

Attachments:

Consent:

Public Hearing:

Business Item:

Other:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AUTHORIZING AND ORDERING JUDICIAL FORECLOSURE OF CURRENT AND FUTURE DELINQUENT SPECIAL TAXES RELATED TO COMMUNITY FACILITIES DISTRICT NOS. 2004-3, 2004-5, 2005-2 AND 2005-4 OF THE CITY OF PERRIS, PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City Council (the "Council") of the City of Perris, California (the "City"), on behalf of Community Facilities District Nos. 2004-3, 2004-5, 2005-2 and 2005-4 of the City of Perris (collectively referred to as the "Districts"), has conducted proceedings resulting in the issuance and sale of bonds (the "Bonds") pursuant to the Mello-Roos Community Facilities Act of 1982, constituting California Government Code Sections 53311, *et seq.* (the "Act"); and

WHEREAS, pursuant to the Act, the City has duly recorded Notices of Special Tax Lien on property within the Districts and duly and regularly levies special taxes, which special taxes and interest and penalties thereon constitute a lien against the parcels of the land on which it is levied (the "Property") until the same are paid, and which liens secure in whole or part the outstanding Bonds issued pursuant to the Act; and

WHEREAS, certain installments of the special taxes have not been paid when due, and certain special taxes may not be paid when due in the future; and

WHEREAS, pursuant to Section 53356.1(a) of the Act, the City Council is authorized to order that any delinquent special taxes levied in whole or in part for payment of the Bonds, together with any penalties, interest, and costs, be collected by an action brought in the superior court to foreclose the lien of special tax not later than four (4) years after the due date of the last installment of principal and is authorized, pursuant to Section 53356.2, to take such actions as may be necessary to relieve the County of Riverside tax collector of any further duty to collect the special taxes; and

WHEREAS, pursuant to Section 53356.1(b) of the Act and pursuant to the bond documents related to the Bonds, the City has covenanted for the benefit of owners of the Bonds to file such foreclosure actions in its own name on their behalf and is authorized to order the foreclosure pursuant to the terms and conditions of the Act; and

WHEREAS, the City wishes to direct the City Attorney and the City staff to prosecute such judicial foreclosure actions.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. That the above recitals are all true and correct.

Section 2. The City finds that the Act authorizes the filing of judicial foreclosure lawsuits to collect delinquent special taxes on the Property within the Districts , and hereby orders that the delinquent special taxes listed on Exhibit A attached hereto and incorporated herein and all future delinquent special taxes as to the Property subject to the special taxes be collected by an action brought in the appropriate Superior Court to foreclose the liens thereof in accordance with the Act.

Section 3. The City Attorney is authorized to prosecute the foreclosure actions and to collect, in the name of the City and on behalf of the owners of the Bonds, all amounts due on account of the delinquent special taxes with respect to the property listed in Exhibit A, including attorneys fees and costs incurred in connection therewith.

Section 4. The City Attorney is hereby authorized and ordered to prosecute the foreclosure actions and to collect, in the name of the City and on behalf of the owners of the Bonds, all amounts due on account of any future special taxes levied against such property which become delinquent in the Districts , including attorneys fees and costs incurred in connection therewith, pursuant to the terms of the Act and the bond documents without further action by the City Council.

Section 5. The City Council finds that the Act provides for the payment of the costs and attorneys fees for prosecution of the foreclosure lawsuits authorized by the City on redemption prior to entry of judgment as well as on post-judgment redemption, and hereby authorizes the City Attorney to require payment of all costs and all attorneys fees incurred in the applicable foreclosure lawsuit as a condition of such redemption.

Section 6. City personnel in conjunction with the City Attorney and other City consultants are authorized and directed if and as applicable, pursuant to Government Code Section 53356.2: (a) to record notices of intent to remove the delinquent special taxes from the tax rolls, and (b) to request that the applicable County officials remove current and future delinquent special taxes from the tax rolls.

Section 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it in the book of original resolutions.

Section 8. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED and APPROVED this ____th day of _____, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

RESOLUTION NUMBER ____

Page 3

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the ___ day of _____, 2015, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk, Nancy Salazar

(SEAL)

EXHIBIT A

DELINQUENT PARCELS

CFD	APN	Owner's Name
2004-3	330-452-009	Gloria J. Esquivias
2004-5	313-311-003	Miledy Serrato
2004-5	313-311-005	Juan M. & Maribel Maciel
2005-2	310-282-012	Mandeep & Charanjit Sandhu
2005-4	302-282-018	WIA Marketing, LLC

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: February 10, 2015

SUBJECT: Street Vacation 13-09-0008 - to summarily vacate a portion of 2nd Street, between D Street and the A.T. S.F. railroad right-of-way, to facilitate access to the future Downtown Perris Metrolink Station. Applicant: Riverside County Transportation Commission.

REQUESTED ACTION: **ADOPT a Resolution (next in order) approving** the summary vacation of a 125-foot portion of 2nd Street, between D Street and the A.T. & S.F. railway right-of-way to facilitate the Downtown Metrolink Station.

CONTACT: Clara Miramontes, Director of Development Services 

BACKGROUND/DISCUSSION:

RCTC (Riverside County Transportation Commission) is requesting a Summary Vacation to vacate a portion of 2nd Street, starting at the railway right-of-way 125' feet easterly towards "D" Street within the Downtown area. The portion of 2nd Street to be vacated is unimproved and has never been used as a public road. As well, there are no plans to ever improve this portion of 2nd Street as a right-of-way. Once vacated, this portion of 2nd Street will provide pedestrian and vehicular access to the Downtown Metrolink Station platform and parking lot.


The proposed summary vacation complies with all required findings as follows: 1) The property is excess right-of-way and is not required for street purposes; 2) access to adjoining properties will not be affected; and 3) this portion of the 2nd Street has been impassable as a public road and no public funds have been expended on its maintenance for the last five years.


A letter was submitted by Socal Gas Co (dated Oct 31, 2013), requesting than an easement be reserved pursuant to California State and Highway Code Section 8340 (c) to ensure continued operation of the pipeline after the street vacation is recorded. The letter also stated the City's obligation to either: 1) "reserve, and except from the vacation any easement and right necessary to maintain, operate, replace, remove, or renew the public utility," or 2) The legislative body (City Council) determines a "public convenience and necessity."

In accordance with California Streets and Highways Code Section 8340 (c), while there is an in-place *Southern California Gas Company* (SCG) public utility facility that is in use, the public convenience and necessity requires protecting the public interest in passenger rail operations and safety, and thus the City is not required to reserve an easement in favor of Socal Gas Co. However, Socal Gas Co rights to maintain and service the existing public utility facility will be adequately protected pursuant to an existing license agreement with *Riverside County Transportation Commission* (RCTC) which will be amended to include the vacated portion of 2nd street.

The project is exempt from CEQA under Section 15061 (b) (3) in that the project has no possibility of having a significant effect on the environment. Therefore, no further CEQA review is required.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item, cost of construction and payment of impact fees are covered by the applicant.

PREPARED BY: Nathan Perez, Associate Planner 

City Attorney: N/A
Assistant City Manager: Ron Carr 

Consent: February 10, 2015

Attachments: City Council Resolution (next in order) and Conditions of Approval
Exhibit A – Legal Description
Exhibit B – Vacation Exhibit
Exhibit C – Aerial
Exhibit D – APN Map
Exhibit E – Recorded Licensing agreement between RCTC and Socal Gas (Nov 10, 1980)
Exhibit F – Southern California Gas Company Letter dated Oct 31, 2013

RESOLUTION NUMBER _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO SUMMARILY VACATE A PORTION OF 2ND STREET, BETWEEN D STREET AND THE A.T. S.F. RAILROAD RIGHT-OF-WAY, TO FACILITATE ACCESS TO THE FUTURE DOWNTOWN PERRIS METROLINK STATION WITHIN THE DOWNTOWN SPECIFIC PLAN AREA, SUBJECT TO THE FINDINGS NOTED HEREIN.

WHEREAS, on September 17, 2013 the applicant submitted and initiated a Summary Vacation (*Street Vacation 13-09-0008*) to summarily vacate a portion of 2nd Street located on 2nd Street starting at the A.T. & S.F. railway right-of-way 125' feet easterly towards "D" Street herein referred to as Exhibits "A" and "B" (see attached Exhibits "A – Legal Description" and "B – Road Vacation"); and

WHEREAS, the City Council has determined that the portion of 2nd Street to be vacated is unimproved. In addition, there are no plans to ever improve this portion of 2nd Street as a right-of-way as it has already been envisioned to be designated for Public Facilities in the Downtown Specific Plan for train station development purposes; and

WHEREAS, the City Council has determined, in accordance with California Streets and Highways Code Section 8340 (c), that while there is an in-place *Southern California Gas Company* (SCG) public utility facility that is in use, the public convenience and necessity require protecting the public interest in passenger rail operations and safety, and thus the City is not required to reserve an easement in favor of SCG. Further, SCG's rights will be adequately protected pursuant to an existing license agreement with *Riverside County Transportation Commission* (RCTC); and

WHEREAS, the City Council has determined that the Summary Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following findings of fact can be made: 1) The property is excess right-of-way and is not required for street purposes; 2) access to adjoining properties will not be affected; and 3) this portion of the 2nd Street has been impassable as a public road and no public funds have been expended on its maintenance for the last five years; and

WHEREAS, the City Council has determined that the Summary Vacation would be exempt from CEQA under Section 15061 (b) (3) in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment for the reasons noted above; and

WHEREAS, Section 66451 of the California Government Code (*Subdivision Map Act*) vests in the legislative bodies of local agencies the regulation and control of the design of Summary Street Vacation; and

WHEREAS, Title 18 of the City of Perris Municipal Code (*Subdivisions*) implements the state Subdivision Map Act and authorizes the Council to take action on a Summary Street Vacation; and

WHEREAS, Chapter 19.54 of the City of Perris Municipal Code (*Zoning Code, Authority and Review Procedures*) authorizes the City to approve, conditionally approve, or deny requests for Summary Vacation; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, as follows:

Section 1. The above recitals are all true and correct and are incorporated herein by reference as if set forth in full.

Section 2. The City Council finds and determines that the City has complied with the California Environmental Quality Act and that City Council determinations reflect the independent judgment of the City Council.

Section 3. Based upon the information contained within the City Council submittal and the accompanying attachments, with respect to the Summary Vacation, the City Council hereby finds the following:

1. The Summary Vacation will not affect health, safety, and welfare.
2. The proposed Summary Vacation is in compliance with the Subdivision Map Act.
3. The proposed Summary Vacation is exempt from CEQA under Section 15061 (b) (3).
4. The Summary Vacation is in compliance with the applicable zoning ordinances.
5. The proposed Summary Vacation is consistent with the existing land uses, and zoning designations in the area.
6. The proposed Summary Vacation has been found to be consistent with city standards, ordinances, and policies.
7. The proposed Summary Vacation is consistent with the Downtown Specific Plan.
8. The Summary Vacation plan is safe, functional, and environmentally sensitive to surrounding properties.
9. The Summary Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following finding of facts can be

made a) the property is excess right-of-way and is not required for street purposes; b) access to adjoining properties will not be affected; and c) this portion of 2nd Street has been impassable as a public road and no public funds have been expended on its maintenance for the last five years.

- 10. This Summary Vacation is in compliance with California Streets and Highways Code Section 8340 (c), as the City need not reserve a public utility easement for in-use public utilities because the City Council has made findings that the public convenience and necessity require protecting passenger rail operations and safety, and the existing in-use public facilities will be otherwise protected pursuant to an existing license agreement.

Section 4. The City Council hereby directs that a Notice of Exemption be filed with the County Clerk pursuant to Section 15062 of CEQA.

Section 5. All actions heretofore taken by the officers of the City with respect to such street vacations are hereby approved, confirmed and ratified, and the Mayor and City staff are hereby authorized and directed to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Resolution (including, without limitation, confirmation of satisfaction of any of the conditions to the effectiveness of the street vacation).

Section 6. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

Section 7. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 10th day of February 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 10th day of February 2015, by the following vote:

**AYES:
NOES:
ABSTAIN:
ABSENT:**

Nancy Salazar, City Clerk

Attachments: Planning Division Conditions of Approval dated February 10, 2015

CITY COUNCIL

CONDITIONS OF APPROVAL

Street Vacation Number 13-09-0008

February 10, 2015

PROJECT: Street Vacation 13-09-0008 - to summarily vacate a portion of 2nd Street, between D Street and the A.T. S.F. railroad right-of-way, to facilitate access to the future Downtown Perris Metrolink Station. Applicant: Riverside County Transportation Commission.

General Requirements

1. This Street Vacation shall conform to approved Planning and Engineering Conditions of Approval for Development Plan Review #05-0425 and Major Modification 11-12-0002. All conditions placed upon this case must be fulfilled prior to the recording of the summary vacation resolution by the City Clerk. The case is not finalized until the City Clerk records the Vacation Resolution.
2. If the disposition of land is other than by operation of law the applicant shall have quitclaim deeds exchanging the property prepared to the satisfaction of Planning, City Attorney, and the Public Works Department. All necessary parcel descriptions and plats shall be prepared, signed, and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California.
3. The Perris City Council authorizes the City Manager to execute quitclaims documents on behalf of the City of Perris to extinguish the desired public right within the vacated easement that does revert by operation of law.
4. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning **Street Vacation 13-09-0008**. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
5. This Street Vacation shall retain *Southern California Gas Company* rights to maintain and service the existing public utility facility along this portion of 2nd street, and will be adequately protected pursuant to an existing license agreement with *Riverside County Transportation Commission* (RCTC).

**EXHIBIT A
SECOND STREET VACATION**

LEGAL DESCRIPTION

Real property situated in the City of Perris, County of Riverside, State of California, being a portion of that 300-foot Riverside County Transportation Commission ("RCTC") right-of-way, being described as Parcel 33, in that certain, "Grant Deed and Grant of Easement, (San Jacinto Subdivision (Riverside County))", recorded March 30, 1993, as Instrument No. 116807, in the Office of the County Recorder, Riverside County, being more particularly described as follows:

That portion of Second Street, a 50-foot right-of-way, as shown on that certain map entitled, "Map of Nances Addition to Perris", filed in Book 15 of Maps, at Page 708, in the Records of San Diego County, being the westerly prolongation of Second Street lying between Blocks A and B as shown on said map, bounded on the west by the westerly line of Parcel 1, a 125-foot strip of land being more particularly described under the "Perris Station and Excess at Perris" description in that certain, "Grant Deed, (Additional Parcels (Riverside County))", recorded March 30, 1993, as Instrument No. 116808, of Official Records, in said Office of the County Recorder, said westerly line also being the easterly line of that third tract of land, a 50-foot wide strip, as described in that certain grant deed recorded June 8, 2009, as Document No. 2009-0287854, in said Office of the County Recorder; and bounded on the east by the easterly line of said Parcel 33, described in Instrument No. 116807, in said Office of the County Recorder.

Containing an area of 6,250 square feet, more or less, or 0.14 acres, measured in ground distances, as shown on the Plat, Exhibit "B" to Accompany Legal Description, attached and made a part hereof.

END OF DESCRIPTION


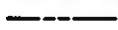



RESERVING THEREFROM the rights of existing utilities within that portion described above of Second Street as it presently exists.

It is the intent of this deed to describe only that portion of Second Street lying completely within Parcel 33 of said Instrument No. 116807, being bounded on the west by the third parcel described in said Instrument No. 1993-0287854, and bounded on the east by the easterly line of said Parcel 33, regardless if a license or right-of-way agreement exists for a Second Street railroad crossing or not.


Prepared by: Michael A. Cusick, PLS
P.L.S. No. 7885



LEGEND

-  STREET RIGHT OF WAY OR PROPERTY LINE
-  RCTC RIGHT OF WAY LINE
-  PROPOSED STREET VACATION
PARCEL AREA = 6,250 SQ.FT.
-  STREET VACATION PER CITY RESOL.
NO. 3647 (DOC. 2013-0275752)
-  RECORD DATA

SEC. 31, T.4S., R.3W.
S.E.B 2M.

61 100-FT. WIDE RCTC R/W
(2009-0227854) FROM
S. SAN JACINTO AVE. TO
SOUTH LINE OF 1ST ST.; AND
ALSO (1993-116207, POL. 31,

SAN JACINTO AVE.

SAN JACINTO AVE.

RCTC PER (2009-0227854)
BEING LOTS 1-6, BLK 15
(E.M. 270); ALSO BEING RCTC
(1993-116207, POL. 31

1ST STREET

1ST STREET (60' WIDE)

CITY RESOL. NO. 3647
(DOC. NO. 2013-0275752)
VACATING PORTIONS OF
1ST AND 2ND STS.

"MAP OF HANCES ADDITION
TO PERRIS" (MP 15/708)
SEC. 6.

2ND STREET

2ND STREET

N. 1/4 CORNER OF POL. 1,
125-FT. WIDE E.M.
OF "PERRIS STA. AND
UNLESS AT PERRIS"
PER (1907-116518)

PERRIS BLVD.

3RD STREET

3RD STREET

61 50-FT. WIDE RCTC R/W
(2009-0227854)

4TH STREET

4TH STREET

"MAP OF THE TOWN OF
PERRIS" (MS 5/270)
SEC. 6.

600-FT. WIDE RCTC R/W
(1993-116207, POL. 33 AND
(1993-116208, POLS 1 & 2)

5TH STREET

5TH STREET

C ST. (60' WIDE)

D ST. (80' WIDE)

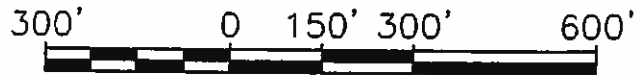
(BLK A, MB 15/708)

(BLK B, MB 15/708)

200-FT. WIDE RCTC R/W
(1993-116207, POL. 30)

D STREET

CITY OF PERRIS
COUNTY OF RIVERSIDE



**RAIL SURVEYORS &
ENGINEERS, INC.**
1075 Old County Road
Belmont, CA 94002

EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
GENERAL UTILITY RESERVATION AND
SECOND STREET VACATION

Date:	08/21/13
Scale:	1"=300'
By:	MC
Sheet No.:	1 OF 1
Rev:	

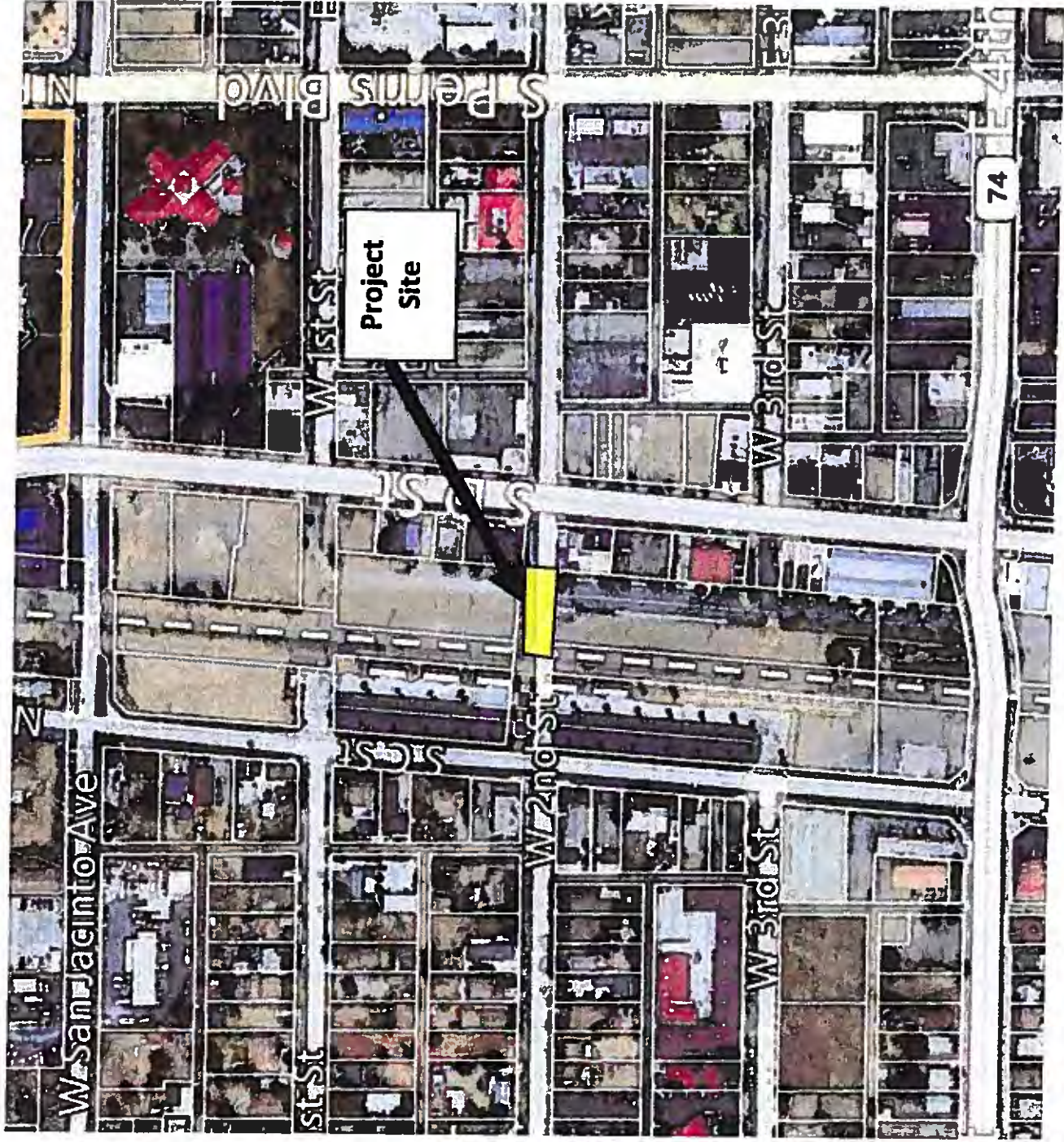
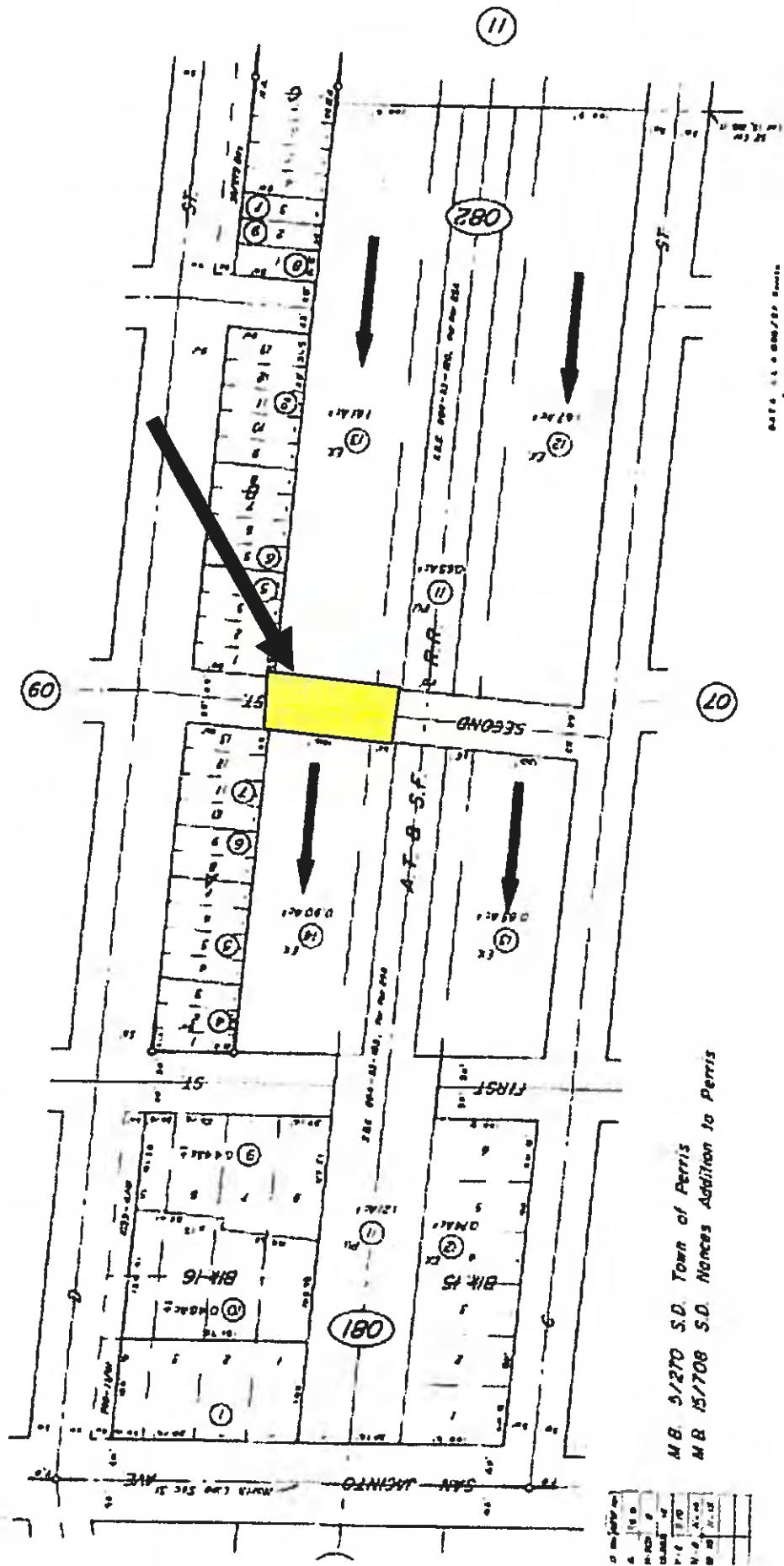


EXHIBIT C

AERIAL



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100	1000

M.B. 5/270 S.D. Town of Perris
 M.B. 15/708 S.D. Nances Addition to Perris



EXHIBIT D
APN MAP

Contract No. 161577
RETURN TO Secretary, The A.P. & S.F. R.R. Co., Topeka

Santa Fe Original
Form 1658 Standard
(Approved by General Solicitor)

PIPE LINE LICENSE

THIS LICENSE, Made this 10th day of November, 1980,
between THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
a Delaware corporation (hereinafter called "Licensor"), party of the first part, and
SOUTHERN CALIFORNIA GAS COMPANY, a California corporation

(hereinafter, whether one or more, called "licensee"), party of the second part.

WITNESSETH, That the parties hereto for the considerations hereinafter expressed covenant and agree as follows:

1. Subject to the terms and conditions hereinafter set forth, Licensor licenses Licensee to construct and maintain one

(1) pipe line four
(4) inches in diameter (hereinafter, whether one or more pipe lines, called the "PIPE LINE"), across or along the right of way of Licensor at or near the station of Perris, Riverside County, California the exact location of the PIPE LINE being more particularly shown by red coloring upon the print hereto attached, No. 607-39745, dated November 3, 1980

2. Licensee shall use the PIPE LINE solely for carrying natural gas

and shall not use it to carry any other commodity or for any other purpose whatsoever.

3. Licensee shall pay Licensor as compensation for this license the sum of One Hundred Fifty and No/100 Dollars (\$150.00) one-time fee

4. Licensee shall, at its own cost and subject to the supervision and control of Licensor's chief engineer, locate, construct and maintain the PIPE LINE in such a manner and of such material that it will not at any time be a source of danger to or interference with the present or future tracks, roadbed and property of Licensor, or the safe operation of its railroad. In cases where the Licensee is permitted under paragraph 2 hereof to use the PIPE LINE for oil, gas, petroleum products, or other flammable or highly volatile substances under pressure, the PIPE LINE shall be constructed, installed and thereafter maintained in conformity with the plans and specifications shown on print hereto attached in such cases, marked Exhibit B and made a part hereof. If at any time Licensee shall, in the judgment of Licensor, fail to perform properly its obligations under this paragraph, Licensor may, at its option, itself perform such work as it deems necessary for the safe operation of its railroad, and in such event Licensee agrees to pay, within fifteen (15) days after bill shall have been rendered therefor, the cost so incurred by Licensor, but failure on the part of Licensor to perform the obligations of Licensee shall not release Licensee from liability hereunder for loss or damage occasioned thereby.

5. Licensee shall reimburse Licensor for any expense incurred by Licensor for false work to support Licensor's tracks and for flagman to protect its traffic during installation of the PIPE LINE and for any and all other expense incurred by Licensor on account of the PIPE LINE.

6. Licensee shall at all times indemnify and save harmless Licensor against and pay in full all loss, damage or expense that Licensor may sustain, incur or become liable for, resulting in any manner from the construction, maintenance, use, state or repair, or presence of the PIPE LINE, including any such loss, damage or expense arising out of (a) loss of or damage to property, (b) injury to or death of persons, (c) mechanics' or other liens of any character, or (d) taxes or assessments of any kind.

7. If at any time Licensee shall fail or refuse to comply with or carry out any of the covenants herein contained Licensor may at its election forthwith revoke this license.

Exhibit
E

8. THIS LICENSE is given by Licensor and accepted by Licensee upon the express condition that the same may be terminated at any time by either party upon ten (10) days' notice in writing to be served upon the other party, stating therein the date that such termination shall take place, and that upon the termination of this license in this or any other manner herein provided, Licensee, upon demand of Licensor, shall abandon the use of the PIPE LINE and remove the same and restore the right of way and tracks of Licensor to the same condition in which they were prior to the placing of the PIPE LINE thereunder. In case Licensee shall fail to restore Licensor's premises as aforesaid within ten (10) days after the effective date of termination, Licensor may proceed with such work at the expense of Licensee. No termination hereof shall release Licensee from any liability or obligation hereunder, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date the PIPE LINE is removed and the right of way and track of Licensor restored as above provided.

9. In the case of the eviction of Licensee by anyone owning or obtaining title to the premises on which the PIPE LINE is located, or the sale or abandonment by Licensor of said premises, Licensor shall not be liable to Licensee for any damage of any nature whatsoever or to refund any payment made by Licensee to Licensor hereunder, except the proportionate part of any recurring rental charge which may have been paid hereunder in advance.

10. Any notice hereunder to be given by Licensor to Licensee shall be deemed to be properly served if it be deposited in the United States Mail, postage prepaid, addressed to Licensee at _____
P. O. Box 3249, Terminal Annex, Los Angeles, CA 90051
Any notice to be given hereunder by Licensee to Licensor shall be deemed to be properly served if the same be deposited in the United States Mail, postage prepaid, addressed to Licensor's _____
General Manager at 5200 E. Sheila Street
Los Angeles, CA 90040

11. In the event that two or more parties execute this instrument as Licensee, all the covenants and agreements of Licensee in this license shall be the joint and several covenants and agreements of such parties.

12. All the covenants and provisions of this instrument shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the parties to the same extent and effect as the same are binding upon and inure to the benefit of the parties hereto, but no assignment hereof by Licensee, its successors, legal representatives or assigns, or any subsequent assignee, shall be binding upon Licensor without the written consent of Licensor in each instance.

Attached hereto and made a part hereof is Rider "A" identified by the signature of J. H. Schwartz.

IN WITNESS WHEREOF, The parties have executed this agreement in duplicate the day and year first above written.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY (Licensor)

Approved as to Description:

J. H. Schwartz
Chief Engineer.

By M. W. Lloyd
Its Supervisor of Contracts

APPROVED AS TO FORM

Plint's Ballenty
Assistant General Attorney

SOUTHERN CALIFORNIA GAS COMPANY

By T. C. Harlan
T. C. Harlan,

Its Manager of Engineering Services

Approved [Signature]

(Licensee)

RAU

RIDER "A"

H-88

RIDER to license agreement dated November 10, 1980

between THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY and
SOUTHERN CALIFORNIA GAS COMPANY

13. In cases where Licensee is permitted under Section 2 hereof to use the PIPELINE for non-flammable substances, the PIPELINE shall be constructed, installed and thereafter maintained in conformity with plans and specifications set forth in the American Railway Engineering Association, Specification for Pipeline Crossings Under Railway Track for Non-Flammable Substances, Revised 1964, or Specification for the Placement of Concrete Culvert Pipe, Revised 1966, whichever may apply.

14. Any work performed on Licensor's right of way by Licensee or Licensee's contractor shall be done in a satisfactory workmanlike manner and in accordance with plans and specifications approved by Licensor, including plans covering any falsework, bracing or cribbing that may be necessary to use over, under or adjacent to Licensor's track, and no work shall be permitted until said plans and specifications have been approved by Licensor.

15. Licensee or Licensee's contractor shall not be permitted to commence work on said Licensor's right of way without having first received written notification from Licensor's Division Superintendent of permission to proceed.

16. Any contractor or subcontractor performing work on or in connection with the PIPELINE shall for the purpose of this agreement, and particularly for the purposes of Section 6 of this agreement, be conclusively deemed to be the servant and agent of Licensee acting on behalf and within the scope of such contractor's or subcontractor's employment for Licensee.

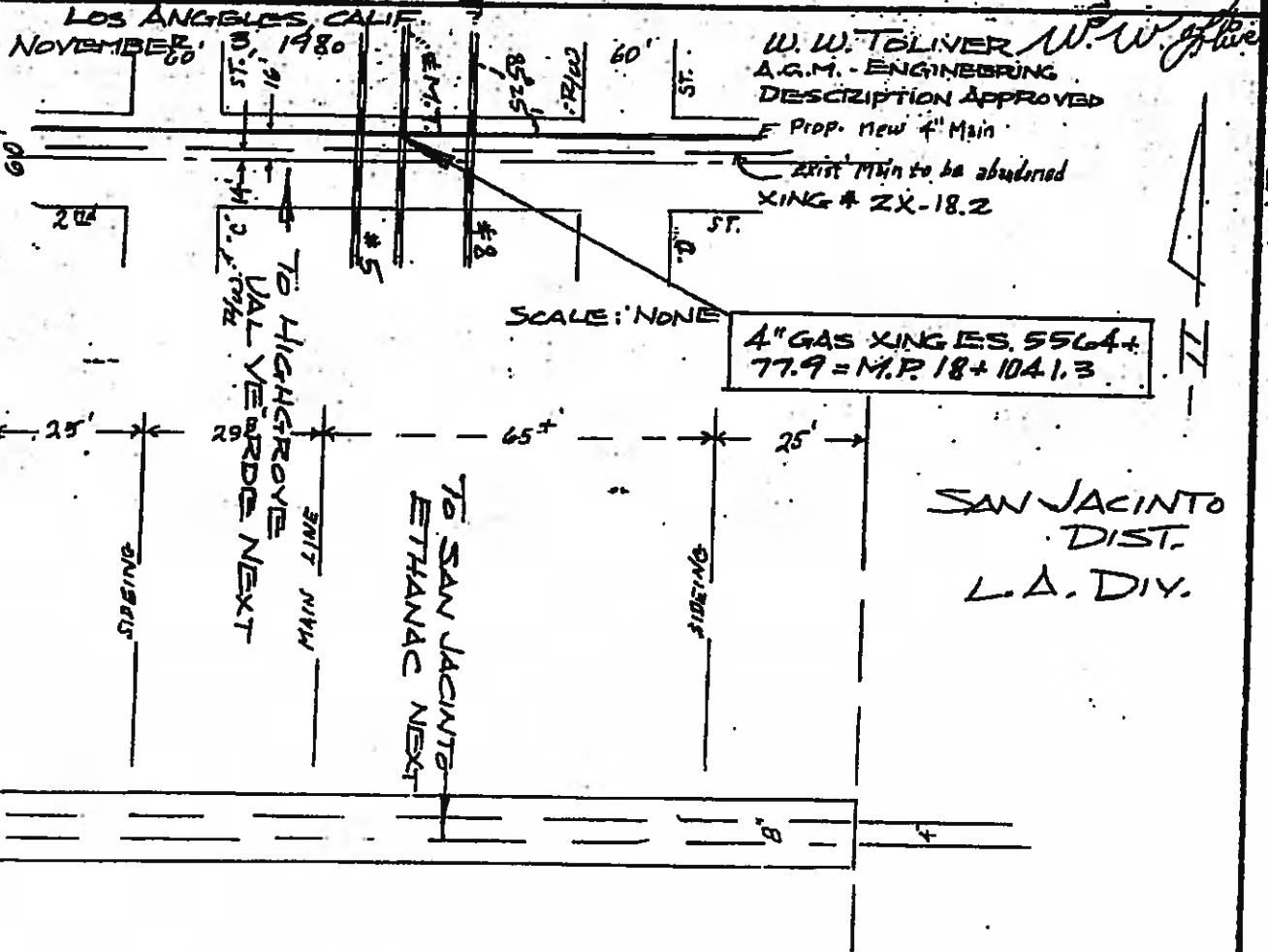
Identified By

J. W. Schwartz

EXHIBIT "A"

ATTACHED CONTRACT BETWEEN

THE ATCHISON, TOPEKA & SANTA FE RAILWAY CO.
AND
SOUTHERN CALIFORNIA GAS COMPANY



MAP 22A-41787

atlas sheet no. RCO 4137
scale: one inch = 100 feet

DESCRIPTION	CARRIER PIPE	CASING PIPE
CONTENTS TO BE HANDLED	NATURAL GAS	
DIAMETER	4"	8" x 145' LONG.
WALL THICKNESS	.188	.219"
ACTUAL WORKING PRESSURE	60 P.S.I.	
TEST PRESSURE	100 P.S.I.	
METHOD OF INSTALLATION	INSERT	
TYPE OF JOINT	WELDED	BORE
COATING	COLD TAR ENAMEL	
PIPE MATERIAL	ST X-42	STL X-42
VENTS NUMBER 2	SIZE 2"	HEIGHT ABOVE GROUND 4'
PROTECTION AT ENDS OF CASING BOTH ENDS: X		ONE END TYPE: PSE-MODEL 5
BURY: BASE OF RAIL TO TOP OF CASING: 3 FT. 6 IN.		BURY: ROADWAY DITCHES 3 FT. - IN.
BURY: (NOT BENEATH TRACKS)		CATHODIC PROTECTION YES
LOCATED ON RAILWAY COMPANY PROPERTY AND CROSSING UNDER THE RY CO'S		
DISTRICT MAIN TRACK / TRACKS, AND SECONDARY TRACK(S) AS SHOWN		
SECOND ST. BETWEEN C AND D STS		PERRIS
STREET		CITY
GAS COMPANY DIVISION EASTERN		RY COMPANY DIVISION
DRW. NO. PA-5115 B.W.O. NO. 31230-122		

AT PERRIS
RIVERSIDE COUNTY, CALIFORNIA

C.E.C.L. DRAWING NO. 607-39745



Southern California Gas Company
1981 West Lugonia Avenue
Redlands, CA 92374
Mailing Address:
PO Box 3003
Redlands, CA 92373-0306

October 31, 2013

City of Perris
Development Services Department,
Planning Division
135 North "D" Street
Perris, CA 92570-2200

Attn: Nathan Perez

Re: Case & No. Street Vacation 13-09-0008 (Second Street Vacation)

Southern California Gas Company owns and operates a gas pipeline beneath the portion of street that is proposed to be vacated. In accordance with Section No. 8330 of the Streets and Highways Code, The Gas Company hereby requests that an easement be reserved to ensure the continued operation of this pipeline.

The Gas Company is requesting a copy of the recorded vacation document upon its completion.

Your cooperation in this matter is greatly appreciated.

If you have any questions, please call Gertman Thomas at (909) 335-7733.

Sincerely,

A handwritten signature in blue ink, appearing to read "Y. Alamillo".

Yolanda Alamillo
Regional Pipeline Project Manager
South Inland Region

ysa/dmm
Enclosures

**CITY COUNCIL
AGENDA SUBMITTAL**

Meeting Date: February 10, 2015

SUBJECT: Authorization for the Chief of Police to apply for and accept a 2015 California State Parks Off-Highway Motor Vehicle Grant

REQUESTED ACTION: Approve a resolution authorizing the Chief of Police to apply for and accept a 2015 California State Parks Off-Highway Motor Vehicle Grant

CONTACT: Mike Judge, Chief of Police

BACKGROUND/DISCUSSION:

The California Department of Parks and Recreation is currently accepting grant applications for its Off-Highway Motor Vehicle Enforcement Program. This innovative and effective program has been used throughout the state to place law enforcement officers on off-highway vehicles to enforce laws concerning illegal off-highway driving, dumping, driving under the influence, discharge of firearms, and the destruction of critical habitat and natural resources. It also provides funding for education regarding Off-Highway Motor Vehicle use, safety and regulation, and the protection of our precious natural resources.

The Perris Police Department wishes to apply for a grant for fiscal year 2015-2016. The minimum grant amount is \$10,000, and the maximum amount is \$100,000. The Police Department requests authorization to apply for the maximum award, although it is likely that the award amount will be reduced by the state. The grant will be used to purchase educational materials, a recreational off-highway vehicle and related safety equipment and to pay for overtime for Special Enforcement Team (SET) personnel.

In 2014, the Police Department handled a total of 107 calls for service related to off-highway motor vehicle riding. These statistics do not include related crimes, including illegal dumping and discharge of firearms. Additionally, the city contains several areas that are critical habitat for species of plants and animals that are of special concern or endangered.

BUDGET (or FISCAL) IMPACT:

The grant requires a 25% match from the local agency. Based on the maximum grant amount of \$100,000, the maximum cost to the Police Department budget would be \$25,000. The Police Department proposes to apply in-kind contributions in the form of salaries to be paid from the police department budget.

Reviewed by:

City Attorney
Assistant City Manager 

Attachments:

Consent: February 10, 2015

Public Hearing:

Business Item:

Other:

RESOLUTION NUMBER (Next in order)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, APPROVING THE APPLICANT TO APPLY
FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA,
DEPARTMENT OF PARKS AND RECREATION, OFF-
HIGHWAY VEHICLE GRANT FUNDS**

WHEREAS, The people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operation and Maintenance, Restoration, Law Enforcement, and Education and Safety for off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application to apply for Off-Highway Motor Vehicle Grant funds;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. Approves the filing of an Application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and

Section 2. Certifies that this agency understands its legal obligations to the State upon approval of the Grant; and

Section 3. Certifies that this agency will implement the Project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and

Section 4. Certifies that this agency will provide the required matching funds; and

Section 5. Appoints the Chief of Police as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number (Next in order) was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the day of , 2015, by the following called vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

City Clerk, Nancy Salazar

CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCING
AUTHORITY
AGENDA SUBMITTAL

Meeting Date: February 10, 2015

SUBJECT: Public Hearing and Approval of the Issuance of (a) Perris Public Financing Authority Tax Allocation Revenue Refunding Bonds 2015 Series A in the aggregate principal amount not to exceed \$25 Million, and (b) Perris Public Financing Authority Subordinate Tax Allocation Revenue Refunding Bonds 2015 Series B in the aggregate principal amount not to exceed \$25 Million, the proceeds of which will be loaned to the Successor Agency to the Redevelopment Agency of the City of Perris to refinance redevelopment activities and public improvements of benefit to City's redevelopment projects, approving certain documents, finding public benefits and taking certain actions in connection therewith

REQUESTED ACTION: Approve Attached Resolutions of the City Council, the Redevelopment Agency of the City of Perris and the Perris Public Financing Authority.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING LOAN AGREEMENTS BETWEEN THE PERRIS PUBLIC FINANCING AUTHORITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS RELATING TO REFINANCING OF PRIOR DEBT OF THE REDEVELOPMENT AGENCY; THE ISSUANCE OF CERTAIN BONDS BY THE AUTHORITY, THE PUBLIC BENEFITS RELATING TO SAID FINANCING AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY TO THE CITY OF PERRIS, AUTHORIZING THE EXECUTION OF SEVEN LOAN AGREEMENTS RELATING TO THE REDEVELOPMENT PROJECT-1987, THE REDEVELOPMENT PROJECT-1994, THE CENTRAL PERRIS AND NORTH PERRIS REDEVELOPMENT PROJECT, AND HOUSING OBLIGATIONS IN CONNECTION WITH REFINANCING CERTAIN OUTSTANDING DEBT OF THE FORMER REDEVELOPMENT AGENCY, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

RESOLUTION OF THE PERRIS PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF ITS Tax ALLOCATION REVENUE REFUNDING BONDS 2015 SERIES A AND TAX ALLOCATION SUBORDINATE REVENUE REFUNDING BONDS 2015 SERIES B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50 MILLION TO FUND LOANS TO THE SUCCESSOR AGENCY, AND AUTHORIZING THE PURCHASE OF THOSE LOANS BY THE AUTHORITY, APPROVING CERTAIN DOCUMENTS AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

CONTACT: Ron Carr, Assistant City Manager

BACKGROUND/DISCUSSION:

Background:

Former Debt of the Redevelopment Agency and Authority

The dissolved Redevelopment Agency of the City of Perris (the "Redevelopment Agency") has previously cooperated with the Perris Public Financing Authority (the "Authority") in issuing bonds to finance redevelopment projects and public improvements of benefit to the Redevelopment Project-1987, the Redevelopment Project-1994, the Central Perris and North Perris Redevelopment Project, and activity relating to low- and moderate-income housing within the City (each a "Project Area" and, collectively, the "Redevelopment Projects"). The Redevelopment Agency was empowered under the Community Redevelopment Law (constituting Sections 33000 *et. seq.* of the California Health and Safety Code) (the "Redevelopment Law") with certain powers, including the power to incur indebtedness and issue bonds or enter into loan or other debt obligations in furtherance of its corporate purposes and of benefit to the Redevelopment Projects. Under the Redevelopment Law, Redevelopment Agencies received tax increment revenues, which generally consist of the revenues received from taxes levied which exceed taxes levied in the so called "base year." These tax increment revenues could be pledged to pay for debt service on bonds to finance capital projects consistent with the Redevelopment Plan for the respective Project Area. The Redevelopment Law also required that 20% of tax increment revenues received in each Project Area be used to increase, preserve and improve the supply of low and moderate income housing within the City.

Under the Marks Roos Local Bond Pooling Act (constituting Sections 6584 *et. seq.* of the California Government Code) ("Marks-Roos Act"), the Authority is authorized to refinance outstanding bonds and to make loans to the Agency or purchase its local obligations under certain circumstances where demonstrable savings and economies or advantages take place by such loans and also when financing public improvements, like drainage and streets and capital projects.

Dissolution of Redevelopment

On June 29, 2011, the California legislature adopted Assembly Bill No. 26 (“AB1X 26”) which dissolved all redevelopment agencies in existence in the State of California as of February 1, 2012, and designated “successor agencies” and “oversight boards” to satisfy “enforceable obligations” of the former redevelopment agencies and administer dissolution and wind down of the former redevelopment agencies. On June 27, 2012, the California State Legislature adopted Assembly Bill No. 1484, a follow on bill to AB1X 26, to provide a mechanism to refund tax allocation bonds under certain circumstances. The provisions of this legislation (the “Dissolution Act”) have been incorporated as parts 1.8 and 1.85 of Division 24 of the California Health and Safety Code and, together with the Redevelopment Law, form the body of Law governing former redevelopment agencies. Pursuant to Section 34173(d) of the Law, the City elected to act as the successor agency (the “Successor Agency”) to the dissolved Redevelopment Agency with respect to the Redevelopment Agency’s outstanding bonds.

Section 34177.5(a) of the Law allows the Successor Agency to refund debt of the Redevelopment Agency as long as the following two conditions are met: first, the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the debt to be refunded plus the remaining principal of the debt to be refunded; second, the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the debt to be refunded, to establish customary debt service reserves, and to pay related costs of issuance including costs of financial advisors, consultants, counsel and staff related to the refunding (the “Refunding Test”).

Discussion:

The Redevelopment Agency previously issued the following Prior Senior Loans, which were funded by and secured the following bonds of the Authority:

- (i) Central North Redevelopment Project 2002 Series A Loan related to the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series A currently outstanding in the amount of \$4,635,000;
- (ii) Central North Redevelopment Project 2002 Series B Loan related to the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series B currently outstanding in the amount of \$2,555,000;
- (iii) 1987 Redevelopment Project 2001 Series A Loan related to the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$3,100,000; and
- (iv) 1994 Redevelopment Project 2001 Series B Loan related to the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series B currently outstanding in the amount of \$1,120,000;

and the following Prior Subordinate Loans, which were funded by and secured the following bonds of the Authority:

- (i) Central North Redevelopment Project 2002 Series C Loan related to the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series C currently outstanding in the amount of \$2,415,000;
- (ii) Central North Redevelopment Project 2006 Series Loan related to the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$2,995,000;
- (iii) 1987 Redevelopment Project 2006 Series Loan related to the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$4,815,000; and
- (iv) 1994 Redevelopment Project 2006 Series Loan related to the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$12,770,000.

The Prior Subordinate Loans, which were executed on parity with existing subordinate debt of the Redevelopment Agency, have a subordinate lien on tax revenue from the respective Project Area to the Senior Loan. In other words, the Prior Subordinate Loans, and any loan issued with a subordinate lien on tax increment revenue from the respective Project Area, is paid from such tax increment revenue only after debt service on the Prior Senior Loans, or any other loan issued with a senior lien on such tax increment revenues, is paid.

The current financing contemplates the Authority issuing two series of Bonds (the "Bonds") to generate new money to fund seven loans to the Agency (the "Loans") to refinance redevelopment projects and public improvements of benefit to the respective Project Areas, to fund reserve fund and costs of issuance in connection with the Bonds and the Loans.

The first of the Bonds to be issued will be the Perris Public Financing Authority Tax Allocation Revenue Refunding Bonds 2015 Series A (the "Series A Bonds") in the aggregate principal amount not to exceed \$25 Million. The Series A Bonds will fund the following Loans (the "Senior Loans"), which will be issued with a senior lien on respective tax increment revenues to the Subordinate Loans (described below):

- (i) Series A 1987 Redevelopment Project Loan in an aggregate principal amount not to exceed \$3.7 Million;
- (ii) Series A Central North Redevelopment Project Loan in an aggregate principal amount not to exceed \$8 Million;
- (iii) Series A 1994 Redevelopment Project Loan in an aggregate principal amount not to exceed \$1.5 Million; and
- (iv) Housing Loan in an aggregate principal amount not to exceed \$12.5 Million, which Housing Loan shall be issued on a parity with the Redevelopment Agency's 2010 Housing Loan.

The second series of Bonds to be issued will be the Perris Public Financing Authority Subordinate Tax Allocation Revenue Refunding Bonds 2015 Series B (the "Series B Bonds") in the aggregate principal amount not to exceed \$25 Million. The

Series B Bonds will fund the following Loans (together with parity subordinate debt, the "Subordinate Loans"), which will be issued on a parity with existing subordinate debt of the Redevelopment Agency and on a subordinate basis to the Senior Loans:

- (i) Series B 1987 Redevelopment Project Loan in an aggregate principal amount not to exceed \$5.5 Million, issued on a parity basis to the 2009 1987 Redevelopment Project Loan;
- (ii) Series B Central North Redevelopment Project Loan in an aggregate principal amount not to exceed \$6 Million, issued on a parity basis to the 2009 Central North Redevelopment Project Loan; and
- (iii) Series B 1994 Redevelopment Project Loan in an aggregate principal amount not to exceed \$13.8 Million, issued on a parity basis to the 2009 1994 Redevelopment Project Loan.

Financial Aspects:

The following information has been provided by the Financial Advisor.

1. Since the 2011/12 Fiscal Year, the Incremental Assessed Value has increased from \$319,327,294 to \$347,856,778 (8.93%).

2. The current estimate size of the proposed Series A Bond issue is \$24,085,000. The final size will depend upon the bond rating issued by Standard and Poor's and interest rates at time of issuance. Bonds are sized assuming A+ rating at an average interest rate of 3.308%. **These figures may increase up to the not-to-exceed amounts provided above and in the resolutions.**

2. The current estimate size of the proposed Series B Bond issue is \$23,960,000. The final size will depend upon the bond rating issued by Standard and Poor's and interest rates at time of issuance. Bonds are sized assuming BBB+ rating at an average interest rate of 3.72%. **These figures may increase up to the not-to-exceed amounts provided above and in the Resolutions.**

3. The Series A Bonds will be secured by the Senior Loans, which have a senior lien on the respective Project Area's tax increment revenue to the Subordinate Loans securing the Series B Bonds. The Subordinate Loans include parity debt securing the following subordinate lien bonds:

- (i) Perris Public Financing Authority Tax Allocation Revenue Bonds (1987 Redevelopment Project Loan), 2009 Series A currently outstanding in the amount of \$3,340,000;
- (ii) Perris Public Financing Authority Tax Allocation Revenue Bonds (1994 Redevelopment Project Loan), 2009 Series B currently outstanding in the amount of \$7,195,000;
- (iii) Perris Public Financing Authority Tax Allocation Revenue Bonds (Central North Redevelopment Project Loan), 2009 Series C currently outstanding in the amount of \$5,165,000; and

(iv) Perris Public Financing Authority Tax Allocation Revenue Bonds (Housing Loan), 2010 Series A currently outstanding in the amount of \$7,035,000;

4. The payment of debt service on the Series A Bonds/Senior Loans, the Series B Bonds/Subordinate Loans, and any parity debt, will be covered by more than 125% by estimated net tax increment revenues (after deductions for housing set-aside and pass throughs to other taxing agencies).

5. Net proceeds of the Series A Bonds are currently estimated to be approximately \$23,803,253.40 after paying the underwriter's discount (est. \$301,062.50). Net proceeds of the Series B Bonds are currently estimated to be approximately \$23,369,951.50 after paying the underwriter's discount (est. \$359,400.00). **These numbers are subject to change within the parameters set forth in the Resolutions.**

6. Currently, HdL Coren and Cone, the Agency's fiscal consultant, does not see any major issues in terms of the Agency's ability to pay debt service with respect to the Senior Loans and the Subordinate Loans, regarding assessment appeals, foreclosures, etc. in the respective Project Areas.

7. The HDL report shows that there will be sufficient tax increment revenues based on the projections to pay debt service on the Series A Bonds, the Series B Bonds, and existing parity debt. This shows that the financing is feasible.

8. The HDL Report and the Financial Advisor in the Official Statement show that the financing will be within all of the Redevelopment Plan limits.

9. The Authority will pursue insurance for the Series A Bonds.

10. The information provided by the Financial Advisor demonstrates that the Refunding Test has been met in accordance with Section 34177.5(a) of the Dissolution Act.

11. It is expected that costs of issuance of this transaction will be approximately \$400,400.00 for the Series A Bonds and associated Loans, and approximately \$342,800 for the Series B Bonds and associated Loans.

Approvals, Documentation and Findings:

The Resolutions (one for each of the Perris Public Financing Authority, the Redevelopment Agency of the City of Perris and the City Council) approve of (a) the issuance of the bonds and the loans, (b) the sale of the Bonds to O'Connor & Company Securities, Inc. by negotiated sale pursuant to a purchase contract at a true interest cost not to exceed 4.9% and an underwriter's discount of not to exceed 2% of the proceeds of the Bonds, and (c) the entering into of the documentation in connection with the issuance of the Bonds and the loans and (d) the public benefits and feasibility of the financing and the ability to repay.

The Marks-Roos Act requires the City Council to approve the issuance of the Bonds (pooling the loans) following a public hearing and to find the public benefits associated with the financing. Notice was published on February 4.

The cooperation of the Agency and the Authority in the financing enables the Agency to use its usual underwriting team to sell the bonds to the public, a team familiar with the Agency. This cooperation and the savings generated permits the Agency to accomplish the sale with lower interest rates, savings in costs of issuance and other items.

The documents to be considered for approval and for execution by the Chair, Executive Director or Treasurer are:

Loan Agreements between the Agency and the Authority. The Agency and the Authority will enter into four Senior Loan Agreements, with respect to the Redevelopment Project-1987, the Redevelopment Project-1994, the Central North Redevelopment Project, and a Senior Loan relating to Housing obligations, secured by a senior lien on tax increment revenues (not including pass through payments) in the respective Project Area. The Agency and the Authority will enter into an additional three Subordinate Loan Agreements with respect to the Redevelopment Project-1987, the Redevelopment Project-1994, and the Central North Redevelopment Project, with a subordinate lien on tax increment revenues (not including pass through payments) in the respective Project Area, subordinate to the Senior Loans and on a parity with existing subordinate Agency debt. The Loan Agreements each describe the terms of the loan, the restrictions on the loan, additional debt, priority of the debt, the ability to prepay and other relevant items. Certain of the proceeds of the Loans will be used by the Agency to refinance the Prior Senior Loans and Prior Subordinate Loans, respectively.

Series A Indenture of Trust between the Authority and U.S. Bank National Association, as trustee. The moneys to make the Senior Loans loan will come from the issuance of the Series A Bonds. The Series A Indenture authorizes the Series A Bonds and describes the relative terms, payment dates, interest rates, maturity dates of the Series A Bonds; revenues and accounts specifically pledged to the repayment of the Series A Bonds; flow of funds, default and remedy provisions; defeasance provisions in the event the Series A Bonds are prepaid; provisions relating to the issuance of additional debt and covenants of the Authority.

Series B Indenture of Trust between the Authority and U.S. Bank National Association, as trustee. The moneys to make the Senior Loans loan will come from the issuance of the Series B Bonds. The Series B Indenture authorizes the Series B Bonds and describes the relative terms, payment dates, interest rates, maturity dates of the Series B Bonds; revenues and accounts specifically pledged to the repayment of the Series B Bonds; flow of funds, default and remedy provisions; defeasance provisions in the event the Series B Bonds are prepaid; provisions relating to the issuance of additional debt and covenants of the Authority.

Purchase Contract, among the Agency, the Authority and O'Connor & Company Securities describes the terms of the purchase of the Series A Bonds and Series B Bonds by the underwriter, provisions relating to cancelling the sale and conditions to closing.

The Agency and Authority make representations relating to litigation, ability to make payments, the authority to enter into the transactions. The Underwriter promises to sell the Series A Bonds and Series B Bonds to the public diligently. The Resolutions set forth the parameters for approval of the sale by the authorized signatories which are: Not to exceed underwriter's discount of 2% of the par and not to exceed true interest cost of 4.9%.

Official Statement: This document describes the security and discloses potential risks to prospective investors. It will generally describe the sources of payment for the Series A Bonds and Series B Bonds, the nature of the projects, the Project Areas, economic and demographic characteristics of the City and Project Areas, and inherent known risk factors associated with the security. It's important that this document not contain any material misstatements or omissions. The Preliminary Official Statement (often referred to as the "POS") is distributed by the underwriter to prospective investors prior to the bond sale so that they can make informed purchase decisions. The POS should be as close to final as possible with the actual terms of the pricing (interest rates and principal amounts) left necessarily blank. The Final Official Statement ("FOS") will be prepared shortly after the bond sale and must be available in time for bond closing.

Continuing Disclosure Agreement: This agreement with Willdan Financial Services outlines the updated information related to the security that the Agency will agree to provide to the bond markets. Disclosure is required annually, and on an exceptional basis for any major "material" event.

Other Agreements and Certificates. The Agency and the Authority will execute various agreements and certificates at closing relating to tax-exemption of the Series A Bonds and Series B Bonds, parity debt requirements and use of the proceeds and other issues.

SAVINGS

Based on current market conditions, the financial advisor has calculated that the Series A Bonds will generated approximately \$4,223,425 in savings over the life of the Series A Bonds, and \$4,391,647 over the life of the Series B Bonds. This comes out to approximately \$245,000 for the Series A Bonds annually, and \$190,000 for the Series B Bonds.

Based upon the method of distributing property taxes, the City's share would be approximately 13% of this amount. As such, the City would likely generate approximately \$31,850 for the Series A Bonds in savings per year, and \$24,700, with the remainder of savings going to other taxing entities. These figures are subject to change based on market conditions at the time of closing; however, they are restricted by the parameters set forth in the attached resolutions.

Additional savings may be realized to the extent any City-Agency agreements have been reconstituted after the Dissolution Act.

RECOMMENDATION

It is recommended by staff that the City Council, Board of the PFA and Successor Agency Board, adopt the attached resolutions following a joint public hearing and authorize the issuance by the Authority of its Series A Bonds and Senior Loans, secured by tax increment revenue on a senior basis, to secure the Series A Bonds, and the Series B Bonds and Subordinate Loans, secured by tax increment revenue on a parity with existing debt of the Agency and subordinate to the lien of the Senior Loans, to secure the Series B Bonds.

BUDGET (or FISCAL) IMPACT:

All of the payments on the Series A Bonds and Series B Bonds will be paid by tax increment revenues to be received by the Agency, or, if the refinancing is unsuccessfully, may be paid from tax increment revenue as an "Enforceable Obligation" under the Recognized Obligation Payment Schedule.

Reviewed by:

City Attorney _____
Assistant City Manager *RC*

Attachments: Three Resolutions
Preliminary Official Statement, HDL Report, Two Forms of Indentures,
Two Forms of Loan Agreements, Continuing Disclosure Agreement,
Purchase Contract, One Form of Escrow Agreement
Remaining documents are on file with the City Clerk.

Consent:
Public Hearing: x
Business Item:
Other:

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING LOAN AGREEMENTS BETWEEN THE PERRIS PUBLIC FINANCING AUTHORITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS RELATING TO REFINANCING OF PRIOR DEBT OF THE REDEVELOPMENT AGENCY; THE ISSUANCE OF CERTAIN BONDS BY THE AUTHORITY, THE PUBLIC BENEFITS RELATING TO SAID FINANCING AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, prior to dissolution, the Redevelopment Agency of the City of Perris (the "Redevelopment Agency") was a redevelopment agency authorized pursuant to the Community Redevelopment Law of the State of California, being Part 1 of Division 24 (commencing with Section 33000) of the California Health and Safety Code, as amended (the "Redevelopment Law" and, together with parts 1.8 and 1.85 of Division 24, the "Law") to incur indebtedness for the purpose of financing and refinancing certain redevelopment and low and moderate income housing activities within and for the benefit of its redevelopment project areas; and

WHEREAS, the Redevelopment Agency established project areas for the purpose of financing certain redevelopment activities within the City, including the Central Perris and North Perris Redevelopment Project (the "Central North Redevelopment Project"), the Redevelopment Project-1987 (the "1987 Redevelopment Project"), and the Redevelopment Project-1994 (the "1994 Redevelopment Project" and, collectively, the "Redevelopment Projects"); and

WHEREAS, the redevelopment plans for the Redevelopment Projects contemplates that the Agency would, from time to time, issue its bonds and/or loans to finance and refinance a portion of the cost of such redevelopment and public improvements of benefit to the Redevelopment Projects and the Agency has from time to time issued obligations to finance and refinance such redevelopment activities; and

WHEREAS, the Redevelopment Agency has heretofore entered into the following loan agreements (collectively, the "Prior Senior Loan Agreements"), by and between the Redevelopment Agency and the Authority:

- (i) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (the "Central North Redevelopment Project 2002 Series A Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series A currently outstanding in the amount of \$4,635,000;
- (ii) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (the "Central North Redevelopment Project 2002 Series B Loan"), which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series B currently outstanding in the amount of \$2,555,000;

- (iii) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the 1987 Redevelopment Project ("1987 Redevelopment Project 2001 Series A Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$3,100,000; and
- (iv) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the 1994 Redevelopment Project ("1994 Redevelopment Project 2001 Series B Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series B currently outstanding in the amount of \$1,120,000; and

WHEREAS, the Redevelopment Agency also entered into the following loan agreements (collectively, the "Prior Subordinate Loan Agreements"), by and between the Redevelopment Agency and the Authority:

- (i) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project ("Central North Redevelopment Project 2002 Series C Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series C currently outstanding in the amount of \$2,415,000;
- (ii) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the Central North Redevelopment Project ("Central North Redevelopment Project 2006 Series Loan") which secured all or a part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$2,995,000;
- (iii) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the 1987 Redevelopment Project ("1987 Redevelopment Project 2006 Series Loan") securing all or a part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$4,815,000; and
- (iv) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the 1994 Redevelopment Project (the "1994 Redevelopment Project 2006 Series Loan") related to the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$12,770,000; and

WHEREAS, the Redevelopment Agency also entered into the following loan agreements (the "Prior Housing Loan Agreements" and, together with the Prior Senior Loan Agreements and the Prior Subordinate Loan Agreements, the "Prior Loans"), by and between the Redevelopment Agency and the Authority, which were secured by 20% of all taxes allocated within the applicable Redevelopment Project and deposited into the Low and Moderate Housing Fund ("Housing Fund") pursuant to Section 33334.3 of the Redevelopment Law:

- (i) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the Housing Fund ("2001 Housing Loan") which secured all or part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$4,730,000; and

- (ii) Loan Agreement, dated as of May 1, 2006 providing for a loan related to the Housing Fund ("2006 Housing Loan") which secured all or part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$6,915,000.

WHEREAS, on June 27, 2012, after adopting California Assembly Bill No. 26 ("AB1X 26") on June 29, 2011, which dissolved all redevelopment agencies in existence in the State of California as of February 1, 2012, and designated "successor agencies" and "oversight boards" to satisfy "enforceable obligations" of the former redevelopment agencies and administer dissolution and wind down of the former redevelopment agencies, the California State Legislature adopted Assembly Bill No. 1484, a follow on bill to AB1X 26, to provide a mechanism to refund tax allocation bonds under certain circumstances; and

WHEREAS, pursuant to California Health and Safety Code Section 34173(d), the City elected to act as the successor agency (the "Agency") to the dissolved Redevelopment Agency with respect to the Redevelopment Agency's outstanding bonds; and

WHEREAS, the Agency is authorized under Health and Safety Code Section 34177.5(a)(1) to refund debt of the Redevelopment Agency as long as the following two conditions are met: first, the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the debt to be refunded plus the remaining principal of the debt to be refunded; second, the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the debt to be refunded, to establish customary debt service reserves, and to pay related costs of issuance including costs of financial advisors, consultants, counsel and staff related to the refunding (the "Refunding Test"); and

WHEREAS, in order to refinance the Prior Senior Loans, the Agency has requested that the Perris Public Financing Authority (the "Authority") make the following four senior loans (the "Senior Loans"):

- (i) Series A 1987 Redevelopment Project Loan in an aggregate principal amount not to exceed \$3.7 Million;
- (ii) Series A Central North Redevelopment Project Loan in an aggregate principal amount not to exceed \$8 Million;
- (iii) Series A 1994 Redevelopment Project Loan in an aggregate principal amount not to exceed \$1.5 Million; and
- (iv) Housing Loan in an aggregate principal amount not to exceed \$12.5 Million, which Housing Loan shall be issued on a parity with the Redevelopment Agency's 2010 Housing Loan; and

WHEREAS, in order to refinance the Prior Subordinate Loans, the Agency has requested that the Perris Public Financing Authority (the "Authority") make the following three subordinate loans with a subordinate lien on tax revenues from the respective Redevelopment Project to the Senior Loans (the "Subordinate Loans"):

- (i) Series B 1987 Redevelopment Project Loan in an aggregate principal amount not to exceed \$5.5 Million, issued on a parity basis to the 2009 1987 Redevelopment Project Loan;
- (ii) Series B Central North Redevelopment Project Loan in an aggregate principal amount not to exceed \$6 Million, issued on a parity basis to the 2009 Central North Redevelopment Project Loan; and
- (iii) Series B 1994 Redevelopment Project Loan in an aggregate principal amount not to exceed \$13.8 Million, issued on a parity basis to the 2009 1994 Redevelopment Project Loan; and

WHEREAS, in order to finance the Senior Loans, the Authority has determined to issue not to exceed \$25 Million aggregate principal amount of Perris Public Financing Authority Tax Allocation Revenue Refunding Bonds 2015 Series A (the Series A Bonds) pursuant to the terms of the Indenture of Trust (the "Series A Indenture"), by and between the Authority and U.S. Bank National Association, as trustee, and the Marks-Roos Local Bond Pooling Act of 1985, constituting Sections 6584 et. seq. of the California Government Code (the "Act"); and

WHEREAS, the proceeds of the Series A Bonds will be used to make the Senior Loans to the Agency; and

WHEREAS, in order to finance and purchase the Subordinate Loans, the Authority has determined to issue not to exceed \$25 Million aggregate principal amount of Perris Public Financing Authority Tax Allocation Subordinate Revenue Refunding Bonds 2015 Series B (the Series B Bonds) pursuant to the terms of the Indenture of Trust (the "Series B Indenture"), by and between the Authority and U.S. Bank National Association, as trustee, and the Marks-Roos Local Bond Pooling Act of 1985, constituting Sections 6584 et. seq. of the California Government Code (the "Act"); and

WHEREAS, the proceeds of the Series B Bonds will be used to make the Subordinate Loans to the Agency; and

WHEREAS, the Agency deems it necessary, desirable and feasible to enter into the Senior Loans and Subordinate Loans for the purpose of refinancing portions of the Redevelopment Projects, which will generate savings for taxing entities; and

WHEREAS, the City Council, with the aid of its staff, has reviewed the documentation relating to the Senior Loans and Subordinate Loans, and wishes to approve the Senior Loans and Subordinate Loans, and the issuance of the Series A Bonds and the Series B Bonds; and

WHEREAS, the City Clerk/Secretary of the Authority has caused a notice of public hearing to be published pursuant to Section 6586.5 of the Act in connection with the financing by the Authority; and

WHEREAS, the City Council has held such public hearing; and

WHEREAS, the City Council approves of the Senior Loans and the issuance of the Series A Bonds by the Authority to provide proceeds to make the Senior Loan to refinance the Prior Senior Loans and to generate significant savings, and finds that significant

public benefits will occur as a result of the financing, including but not limited to demonstrable savings in effective interest rate, bond preparation, bond underwriting and financing costs, employment benefits from undertaking the projects, user charge reductions and efficient delivery of local services associated with the improvements as contemplated by Section 6586 of the Act;

WHEREAS, the City Council approves of the Subordinate Loans and the issuance of the Series B Bonds by the Authority to provide proceeds to make the Subordinate Loan to refinance the Prior Subordinate Loans and to generate significant savings, and finds that significant public benefits will occur as a result of the financing, including but not limited to demonstrable savings in effective interest rate, bond preparation, bond underwriting and financing costs, employment benefits from undertaking the projects, user charge reductions and efficient delivery of local services associated with the improvements as contemplated by Section 6586 of the Act;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Perris, California, as follows:

Section 1. The City Council of the City of Perris finds that the above recitals are true and correct and are incorporated herein by reference.

Section 2. The entering into of the Senior Loans by the Agency and the issuance of the Series A Bonds by the Authority to finance the Senior Loans is hereby approved. The entering into of the Subordinate Loans by the Agency and the issuance of the Series B Bonds by the Authority to finance the Subordinate Loans is also hereby approved.

Section 3. The City Council finds that significant public benefits will occur as a result of the financing in accordance with Section 6586 of the Act.

Section 4. Each of the Mayor, the City Manager, Assistant City Manager and the City Clerk of the City and any person designated by any of them, is hereby authorized and directed, jointly and severally, to execute and deliver any and all documents and instruments and to do all things which they may deem necessary or proper for carrying out the transactions contemplated by this Resolution.

Section 5. This Resolution shall be in full force and effect from its adoption.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number ____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 10th day of February, 2015, by the following called vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

City Clerk, Nancy Salazar

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY TO THE CITY OF PERRIS, AUTHORIZING THE EXECUTION OF SEVEN LOAN AGREEMENTS RELATING TO THE REDEVELOPMENT PROJECT-1987, THE REDEVELOPMENT PROJECT-1994, THE CENTRAL PERRIS AND NORTH PERRIS REDEVELOPMENT PROJECT, AND HOUSING OBLIGATIONS IN CONNECTION WITH REFINANCING CERTAIN OUTSTANDING DEBT OF THE FORMER REDEVELOPMENT AGENCY, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, prior to the enactment of the dissolution law described below, the Redevelopment Agency (the "Redevelopment Agency") of the City of Perris (the "City") was a public body, duly established and authorized to transact business and exercise powers under and pursuant to the provisions of the Community Redevelopment Law of the State of California, constituting Part 1 of Division 24 of the California Health and Safety Code (the "Redevelopment Law" and, together with Parts 1.8 and 1.85 of Division 24, the "Law"), including the power to borrow funds and issue bonds for any of its corporate purposes, including implementation of the provisions of the redevelopment plans enacted within its project areas; and

WHEREAS, the Redevelopment Agency established project areas for the purpose of financing certain redevelopment activities within the City, including the Central Perris and North Perris Redevelopment Project (the "Central North Redevelopment Project"), the Redevelopment Project-1987 (the "1987 Redevelopment Project"), and the Redevelopment Project-1994 (the "1994 Redevelopment Project" and, collectively, the "Redevelopment Projects"); and

WHEREAS, in connection with its Redevelopment Projects, the Agency has previously cooperated with the Perris Public Financing Authority (the "Authority") to assist in the financing of the Redevelopment Projects; and

WHEREAS, the Redevelopment Agency has heretofore entered into the following loan agreements (collectively, the "Prior Senior Loan Agreements"), by and between the Redevelopment Agency and the Authority:

- (i) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (the "Central North Redevelopment Project 2002 Series A Loan"), which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series A currently outstanding in the amount of \$4,635,000;
- (ii) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (the "Central North Redevelopment Project 2002 Series B Loan"), which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series B currently outstanding in the amount of \$2,555,000;
- (iii) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the 1987 Redevelopment Project ("1987 Redevelopment Project 2001 Series A Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$3,100,000; and

- (iv) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the 1994 Redevelopment Project ("1994 Redevelopment Project 2001 Series B Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series B currently outstanding in the amount of \$1,120,000; and

WHEREAS, the Redevelopment Agency also entered into the following loan agreements (collectively, the "Prior Subordinate Loan Agreements"), by and between the Redevelopment Agency and the Authority:

- (i) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project ("Central North Redevelopment Project 2002 Series C Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series C currently outstanding in the amount of \$2,415,000;
- (ii) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the Central North Redevelopment Project ("Central North Redevelopment Project 2006 Series Loan") which secured all or a part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$2,995,000;
- (iii) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the 1987 Redevelopment Project ("1987 Redevelopment Project 2006 Series Loan") securing all or a part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$4,815,000; and
- (iv) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the 1994 Redevelopment Project (the "1994 Redevelopment Project 2006 Series Loan") related to the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$12,770,000; and

WHEREAS, the Redevelopment Agency also entered into the following loan agreements (the "Prior Housing Loan Agreements" and, together with the Prior Senior Loan Agreements and the Prior Subordinate Loan Agreements, the "Prior Loans"), by and between the Redevelopment Agency and the Authority, which were secured by 20% of all taxes allocated within the applicable Redevelopment Project and deposited into the Low and Moderate Housing Fund ("Housing Fund") pursuant to Section 33334.3 of the Redevelopment Law:

- (i) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the Housing Fund ("2001 Housing Loan") which secured all or part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$4,730,000; and
- (ii) Loan Agreement, dated as of May 1, 2006 providing for a loan related to the Housing Fund ("2006 Housing Loan") which secured all or part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$6,915,000.

WHEREAS, the Prior Loans were issued pursuant to the Redevelopment Law for the purpose of financing redevelopment activity within the Redevelopment Projects, and were purchased by the Authority pursuant to the Marks-Roos Local Bond Pooling Act of 1985, as

amended, constituting Article 4 (commencing with Section 6584) of Chapter 5, Division 7, Title 1 of the Government Code of the State of California (the "Bond Law"); and

WHEREAS, on June 27, 2012, after adopting California Assembly Bill No. 26 ("ABIX 26") on June 29, 2011, which dissolved all redevelopment agencies in existence in the State of California as of February 1, 2012, and designated "successor agencies" and "oversight boards" to satisfy "enforceable obligations" of the former redevelopment agencies and administer dissolution and wind down of the former redevelopment agencies, the California State Legislature adopted Assembly Bill No. 1484, a follow on bill to ABIX 26, to provide a mechanism to refund tax allocation bonds under certain circumstances; and

WHEREAS, pursuant to California Health and Safety Code Section 34173(d), the City elected to act as the successor agency (the "Successor Agency") to the dissolved Redevelopment Agency with respect to the Redevelopment Agency's outstanding bonds; and

WHEREAS, the Successor Agency is authorized under Health and Safety Code Section 34177.5(a)(1) to refund debt of the Redevelopment Agency as long as the following two conditions are met: first, the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the debt to be refunded plus the remaining principal of the debt to be refunded; second, the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the debt to be refunded, to establish customary debt service reserves, and to pay related costs of issuance including costs of financial advisors, consultants, counsel and staff related to the refunding (the "Refunding Test"); and

WHEREAS, Rod Gunn Associates, Inc., the Successor Agency's Financial Advisor, has provided information to show debt service savings may be achieved with a refunding of the Prior Loans based on current conditions in the municipal bond market, which would result in additional tax increment revenues for distribution to taxing agencies; and

WHEREAS, pursuant to Section 34177.5(b), the refunding bonds authorized pursuant to Section 34177.5(b) may be issued under the authority of Article 11 (commencing with 53580) of Chapter 3 of Part I of Division 2 of Title 5 of the Government Codes and may be sold at a public or private sale or to a joint powers authority pursuant to Article 4, commencing with Section 6584 of the Bond Law; .

WHEREAS, pursuant to Health and Safety Code Section 34179(a), the Successor Agency has a duly established oversight board (the "Oversight Board"); and

WHEREAS, the actions of the Successor Agency contemplated herein are subject to approval by the Oversight Board pursuant to Health and Safety Code Section 34177.5(f) and 34180; and

WHEREAS, due to low interest rates, it is prudent in the management of the Successor Agency's fiscal affairs, and beneficial to the Successor Agency and all taxing entities to undertake a refunding of all or part of the Prior Loans assuming certain debt service refinancing thresholds provided herein are met as determined by the Successor Agency and the Oversight Board upon approval of the refunding documents and meeting the conditions set forth in Health and Safety Code Section 34177.5(a)(1); and

WHEREAS, the Successor Agency wishes at this time to approve the form of four loan agreements with the Authority to provide moneys to refund and/or cancel the Prior Senior Loans and the Prior Housing Loans (the “Senior Loans”), in order to achieve debt service savings, pay certain costs of issuance and fund a reserve fund with respect to the refunding bonds to be issued (the “Senior Loan Agreements”); and

WHEREAS, the Senior Loan Agreements will be secured by property tax revenues constituting former tax increment revenues generated within the respective project area of the Redevelopment Project, as provided in the Senior Loan Agreements; and

WHEREAS, the Successor Agency wishes at this time to approve the form of three additional loan agreements with the Authority to provide moneys to refund and/or cancel the Prior Subordinate Loans (the “Subordinate Loans”), in order to achieve debt service savings, pay certain costs of issuance and fund a reserve fund with respect to the refunding bonds to be issued (the “Subordinate Loan Agreements” and, collectively with the Senior Loan Agreements, the “Loan Agreements”), pursuant to the Law; and

WHEREAS, the Subordinate Loan Agreements will be secured by property tax revenues constituting former tax increment revenues generated within the respective project area of the Redevelopment Project, as provided in the Subordinate Loan Agreements, with a subordinate lien on the tax increment revenues to the respective Senior Loan Agreements related to the applicable Redevelopment Project; and

WHEREAS, in order to finance the Senior Loans, the Successor Agency has requested the Authority issue its Perris Public Financing Authority Tax Allocation Revenue Refunding Bonds 2015 Series A (the “Series A Bonds”) to make the Senior Loans, in a total amount not to exceed \$25 Million, pursuant to the terms of an Indenture of Trust (the “Series A Indenture”), by and between the Authority and U.S. Bank National Association as Trustee (the “Trustee”); and

WHEREAS, in order to finance the Subordinate Loans, the Successor Agency has requested the Authority issue its Perris Public Financing Authority Tax Allocation Subordinate Revenue Refunding Bonds 2015 Series B (the “Series B Bonds” and, collectively with the Senior A Bonds, the “Bonds”) to make the Subordinate Loans, in a total amount not to exceed \$25 Million, pursuant to the terms of an Indenture of Trust (the “Series B Indenture”) by and between the Authority and the Trustee; and

WHEREAS, the Authority proposes to sell the Bonds to O’Connor & Company Securities, Inc., as purchaser of the Bonds (the “Underwriter”), all on the terms and conditions provided in the form of Purchase Contract, by and among the Successor Agency, the Authority and the Underwriter (the “Purchase Contract”), a form of which is on file with the Secretary; and

WHEREAS, the Successor Agency and the Authority, with the assistance of Rod Gunn Associates, Inc., the Financing Consultant, Disclosure Counsel, have caused to be prepared an Official Statement describing the Bonds, the preliminary form of which is on file with the Secretary (the “Official Statement”); and

WHEREAS, the Successor Agency will enter into a continuing disclosure agreement with Willdan Financial Services (the “Continuing Disclosure Agreement”) for the purpose of assisting the Underwriter in complying with Rule 15c2-12 of the Securities Exchange Act of 1934; and

WHEREAS, the Successor Agency, with the aid of its staff has reviewed the Loan Agreements, the Purchase Contract, the Series A Indenture, the Series B Indenture, the Continuing Disclosure Agreement and the Official Statement and the Agency wishes at this time to approve the foregoing in the public interests of the Agency; and

WHEREAS, the Agency approves of the Senior Loans and the Subordinate Loans, and the issuance of the Bonds by the Authority to provide proceeds to make the Senior Loans and the Subordinate Loans, to refinance public capital improvements and projects, and has found that significant public benefits will occur as a result of the financing, including but not limited to demonstrable savings in effective interest rate, bond preparation, bond underwriting and financing costs, and, with respect to the projects refinanced, employment benefits from undertaking the projects, user charge reductions and efficient delivery of local services associated with the improvements; and

WHEREAS, each of the Subordinate Loans are also issued on a parity with certain prior obligations in the Redevelopment Projects; and

WHEREAS, the Fiscal Consultants Report prepared by HdL Coren & Cone to be attached as an exhibit to the Official Statement will demonstrate that there will be funds available to pay debt service on the Bonds and any outstanding indebtedness;

WHEREAS, to effectuate the refunding of the Prior Senior Loans and the Prior Subordinate Loans, the Successor Agency further desires to approve the form and authorize the execution and delivery of escrow deposit and trust agreements related to the Prior Loans and bonds being refunded ("Escrow Agreements"), each between the Successor Agency, the Authority and the Trustee, acting as escrow agent and trustee for the Prior Senior Loans and the Prior Subordinate Loans:

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Successor Agency finds that all of the above Recitals are true and correct and are incorporated into this Resolution by this reference.

Section 2. Findings. The Successor Agency hereby makes the following findings:

(1) Due to low interest rates, it is beneficial to the City and all taxing entities to undertake a refunding of the Prior Loans.

(2) The refinancing thresholds set forth in the Refunding Test have been met or shall be met concurrently with the execution and delivery of the Purchase Contract.

(3) The Successor Agency has made diligent efforts to ensure that the lowest long-term cost financing is obtained, which shall not provide for any bullets or spikes and shall not use variable rates.

(4) The Successor Agency has made use of an independent financial advisor in developing financing proposals and shall make the work products of the financial advisor available to the California State Department of Finance upon request.

Section 3. Authorization to Proceed with the Series A Bonds and Senior Loans.

The Successor Agency hereby approves the issuance of the Series A Bonds in a principal amount not to exceed \$25 Million, to be determined by the official signing of the Purchase Contract in accordance with Section 9 below. The Successor Agency hereby determines that it is prudent in the management of its fiscal affairs and a public purpose to issue the Series A Bonds, which shall mature on the dates and accrue interest at the rate set forth in the Purchase Contract to be executed on behalf of the Successor Agency in accordance with Section 9 below. The Successor Agency further approves the form of, and authorizes entering into, the following Senior Loan Agreements with the Authority, which Senior Loan Agreements are on file with the City Clerk, as Secretary, relating to:

(1) The loan agreement relating to the Series A Bonds and the 1987 Redevelopment Project in an aggregate principal amount not to exceed \$3.7 Million.

(2) The loan agreement relating to the Series A Bonds and the Central North Redevelopment Project in an aggregate principal amount not to exceed \$8 Million.

(3) The loan agreement relating to the Series A Bonds and 1994 Redevelopment Project in an aggregate principal amount not to exceed \$1.5 Million.

(4) The loan agreement relating to the Series A Bonds and revenues formerly constituting the Housing Fund in an aggregate principal amount not to exceed \$12.5 Million.

Section 4. Authorization to Proceed with Series B Bonds and Subordinate Loans. The Successor Agency hereby approves the issuance of the Series B Bonds in a principal amount not to exceed \$25 Million, to be determined by the official signing of the Purchase Contract in accordance with Section 9 below. The Successor Agency hereby determines that it is prudent in the management of its fiscal affairs and a public purpose to issue the Series B Bonds, which shall mature on the dates and accrue interest at the rate set forth in the Purchase Contract to be executed on behalf of the Successor Agency in accordance with Section 9 below. The Successor Agency further approves the form of, and authorizes entering into, the following Subordinate Loan Agreements, which are on file with the City Clerk, as Secretary, relating to:

(1) The loan agreement relating to the Series B Bonds and 1987 Redevelopment Project in an aggregate principal amount not to exceed \$13.8 Million.

(2) The loan agreement relating to the Series B Bonds and the Central North Redevelopment Project in an aggregate principal amount not to exceed \$5.5 Million.

(3) The loan agreement relating to the Series B Bonds and the 1994 Redevelopment Project in an aggregate principal amount not to exceed \$6 Million.

Section 5. Approval of the Senior Loan Agreements and the Subordinate Loan Agreements. The Senior Loan Agreements and the Subordinate Loan Agreements shall be issued pursuant to the Law. The Successor Agency hereby approves the forms of the Senior Loan Agreements and the Subordinate Loan Agreements on file with the City Clerk, as Secretary. The Chair or Mayor of the City, Vice Chair or Mayor Pro Tem of the City, City Manager or Executive Director, Treasurer or Finance Director of the City (the "Designated Officers"), each acting alone, are hereby authorized and directed to execute, and the City Clerk, as Secretary is hereby authorized and directed to attest to, the Senior Loan Agreements and/or the Subordinate Loan Agreements in said form, together with such additions thereto or changes therein as the Designated Officer executing the respective Loan Agreement, upon consultation with Bond Counsel, shall deem necessary, desirable or appropriate, and the execution of the respective Loan Agreement by a Designated Officer shall be conclusive evidence of the approval of any such additions and changes.

Section 6. Authorization of Performance of the Loan Agreements. The Successor Agency hereby authorizes the delivery and performance by the Successor Agency of the Senior Loan Agreements and the Subordinate Loan Agreements. The covenants set forth in said Loan Agreements to be executed in accordance with Section 5 above and in the respective Loan Agreement are hereby approved, shall be deemed to be covenants of the Successor Agency, and shall be complied with by the Successor Agency and its officers.

Section 7. Valid and Binding Obligation. Pursuant to Health and Safety Code Section 34177.5(a)(1), the Successor Agency may pledge to the Senior Loans and the Subordinate Loans those same revenues previously pledged to the Prior Senior Loans, Prior Housing Loans and the Prior Subordinate Loans, respectively, and such pledge, being made in connection with the issuance of the Senior Loans and the Subordinate Loans, shall have the same lien priority as the pledge of the Prior Senior Loans, Prior Housing Loans and the Prior Subordinate Loans, respectively, and shall be valid, binding, and enforceable in accordance with its terms.

Section 8. Execution of Bonds/ Purchase of Senior Loans and Subordinate Loans by Authority. The Bonds shall be executed by the Authority and the Authority shall loan the proceeds to the Successor Agency pursuant to the Senior Loans and the Subordinate Loans, said Senior Loans and Subordinate Loans effectively being the purchase of the Senior Loans and Subordinate Loans by the Authority pursuant to the terms of the Senior Loans and the Subordinate Loans and Section 34177.5(b) If the Law.

Section 9. Approval of Purchase Contract. The form of the Purchase Contract relating to the purchase of the Bonds by the Underwriter, a copy of which is on file with the City Clerk, is hereby approved in the form thereof, or with such changes as may be approved by a Designated Officer, said Designated Officer's execution thereof to constitute conclusive evidence of approval of all such changes, and each Designated Officer is hereby authorized, together or alone, to execute and deliver the Purchase Contract and to insert in the aforesaid Purchase Contract the dollar amount which reflects the provisions of said Purchase Contract; provided, however, that the purchase meets the requirements of the Refunding Test and the Underwriter's discount shall not exceed 2% of the of the principal amount of the Bonds. The Subordinate Loans and the Senior Loans shall also be required to meet the Refunding Test.

Section 10. Approval of Continuing Disclosure Certificate. The form of the Continuing Disclosure Agreement, attached to the Preliminary Official Statement as Appendix D, is hereby approved in substantially the form thereof or with such changes as may be approved by a Designated Officer, said Designated Officer's execution thereof to constitute conclusive evidence of said Designated Officer's approval of all such changes, and each Designated Officer is hereby authorized, together or alone, to execute and deliver said Continuing Disclosure Agreement.

Section 11. Approval of the Preliminary Official Statement. The form of the Preliminary Official Statement describing the Bonds, the Senior Loans and Subordinate Loans, the Successor Agency, the Redevelopment Projects, and certain other information deemed material to an informed investment decision relating to the Bonds, Senior Loans and Subordinate Loans, is hereby approved, with such changes as may be approved by a Designated Officer in consultation with Norton Rose Fulbright LLP ("Disclosure Counsel"). The Designated Officers are each hereby authorized to certify on behalf of the Successor Agency that the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12, except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12. A copy of the form of the Preliminary Official Statement is on file with the Secretary of the Successor Agency.

Section 12. Approval of Official Statement. The preparation and delivery of a final Official Statement for the Bonds relating to the Senior Loans and Subordinate Loans, and use of such by the Underwriter in connection with the offering and sale of the Bonds relating to the Senior Loans and Subordinate Loans, is hereby authorized and approved. The Official Statement shall be in substantially the form of the Preliminary Official Statement with such changes, insertions and omissions as may be approved by a Designated Officer, such approval to be conclusively evidenced by the delivery thereof. The Designated Officers are each hereby authorized and directed, for and in the name of and on behalf of the Successor Agency, to execute and deliver the final Official Statement and any supplement or amendment thereto to the Underwriter.

Section 13. Amendments. The Designated Officers are each hereby authorized to approve corrections and additions to the Preliminary Official Statement and the Official Statement for the Bonds relating to the Senior Loans and Subordinate Loans by supplement or amendment thereto, by appropriate insertions, or otherwise as appropriate, provided that such corrections or additions shall be regarded by a Designated Officer as necessary to cause the information contained therein to conform to facts material to the Bonds, the Senior Loans and Subordinate Loans, the proceedings of the Successor Agency or the form of the document upon consultation with Disclosure Counsel.

Section 14. Approval of Escrow Agreements and Continuing Disclosure Agreement. The forms of the Escrow Agreements and Continuing Disclosure Agreement are hereby approved in substantially the forms thereof or with such changes as may be approved by a Designated Officer, said Designated Officer's execution thereof to constitute conclusive evidence of said Designated Officer's approval of all such changes, and each Designated Officer is hereby authorized, together or alone, to execute and deliver said Escrow Agreements and Continuing Disclosure Agreement.

Section 15. Further Action. Upon approval by the Successor Agency, the Successor Agency hereby directs the City Manager, Treasurer and/or City and other appropriate officers and employees of the City to submit or cause to be submitted all legal proceedings and documents to issue the Bonds, the Senior Loans and Subordinate Loans to the Oversight Board and the State Department of Finance for consideration at the earliest practical opportunity, and to further forward items submitted to the Oversight Board to the administrative officer and auditor-controller of the County of Riverside as required by law.

Section 16. Recovery of Costs. The Executive Director, the Treasurer, or his or her designee is hereby authorized to take all actions necessary to recover reasonable costs incurred in connection with this transaction from the proceeds of the Bonds, Senior Loans and Subordinate Loans or, by including such costs in a future Recognized Obligation Payment Schedule, if applicable. The recovery of such costs shall be in addition to and shall not count against any administrative cost allowance of the Successor Agency as such allowance is defined in Health and Safety Code Section 34171(b).

Section 17. Official Action. All actions heretofore taken by the officers and agents of the Successor Agency with respect to the issuance of the Bonds, the Senior Loans and Subordinate Loans are hereby approved, confirmed and ratified. The Designated Officers of the Successor Agency and the Secretary and any and all other officers of the Successor Agency are hereby authorized and directed, for and in the name and on behalf of the Successor Agency, to do any and all things and take any and all actions, including applying for bond insurance, reserve fund insurance policies, execution and delivery of any and all assignments, certificates, tax certificates, municipal bond insurance commitments, reserve account surety commitments and agreements, requisitions, including requisitions for the payment of costs of issuance of the Bonds, the Senior Loans and Subordinate Loans, agreements, notices, consents, instruments of conveyance, warrants, final and conclusive determination with respect to the Bonds, Senior Loans and Subordinate Loans, and other documents, to divide the Bonds or Loans into several additional loans or Bonds, which may be issued on a tax-exempt or taxable basis, as applicable, which they, or any of them, may deem necessary or advisable in order to consummate the sale, issuance and delivery of the Bonds, the Senior Loans and Subordinate Loans to the purchaser, or purchasers of the Bonds.

Section 18. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency declares that the Successor Agency would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 19. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED and ADOPTED this 10th day of February, 2015.

Darryl R. Busch, Chairperson

ATTEST:

Nancy Salazar, Secretary

APPROVED AS TO FORM:

Successor Agency Counsel

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Nancy Salazar, Secretary of the Successor Agency to the Redevelopment Agency of the City of Perris, do hereby certify that the foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Perris held on the ___th day of _____, 2015.

Upon motion of Boardmember _____, seconded by Boardmember _____, the foregoing Resolution No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Perris this 10th day of February, 2015.

NANCY SALAZAR, SECRETARY

RESOLUTION NO. R - ____

RESOLUTION OF THE PERRIS PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF ITS TAX ALLOCATION REVENUE REFUNDING BONDS 2015 SERIES A AND TAX ALLOCATION SUBORDINATE REVENUE REFUNDING BONDS 2015 SERIES B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50 MILLION TO FUND LOANS TO THE SUCCESSOR AGENCY, AND AUTHORIZING THE PURCHASE OF THOSE LOANS BY THE AUTHORITY, APPROVING CERTAIN DOCUMENTS AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City of Perris (the "City"), located in Riverside County, California, and the Redevelopment Agency of the City of Perris (the "Agency"), have entered into a Joint Exercise of Powers Agreement, dated August 28, 1989, creating the Perris Public Financing Authority (the "Authority"), pursuant to Articles 1 through 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Bond Law"); and

WHEREAS, the Redevelopment Agency established project areas for the purpose of financing certain redevelopment activities within the City, including the Central Perris and North Perris Redevelopment Project (the "Central North Redevelopment Project"), the Redevelopment Project-1987 (the "1987 Redevelopment Project"), and the Redevelopment Project-1994 (the "1994 Redevelopment Project" and each a "Project Area" or, collectively, the "Redevelopment Projects"); and

WHEREAS, on June 27, 2012, after adopting California Assembly Bill No. 26 ("ABIX 26") on June 29, 2011, which dissolved all redevelopment agencies in existence in the State of California as of February 1, 2012, and designated "successor agencies" and "oversight boards" to satisfy "enforceable obligations" of the former redevelopment agencies and administer dissolution and wind down of the former redevelopment agencies, the California State Legislature adopted Assembly Bill No. 1484, a follow on bill to ABIX 26, to provide a mechanism to refund tax allocation bonds under certain circumstances; and

WHEREAS, pursuant to California Health and Safety Code Section 34173(d), the City elected to act as the successor agency (the "Agency") to the dissolved Redevelopment Agency with respect to the Redevelopment Agency's outstanding debt; and

WHEREAS, pursuant to Article 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act") and the Agreement, the Authority is authorized to issue revenue bonds, loan the proceeds thereof to the Agency for financing public capital improvements and projects and for purchasing local obligations of other agencies; and

WHEREAS, pursuant to the Act and the Agreement the Authority is further authorized to sell bonds to public or private purchasers at public or negotiated sales; and

WHEREAS, the Agency is authorized under Health and Safety Code Section 34177.5(a)(1) to refund debt of the Redevelopment Agency as long as the following two conditions are met: first, the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the debt to be refunded plus the remaining principal of the debt to be refunded; second, the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the debt to be refunded, to establish customary debt service reserves, and to pay related costs of issuance including costs of financial advisors, consultants, counsel and staff related to the refunding (the "Refunding Test"); and

WHEREAS, in connection with its Redevelopment Projects, the Redevelopment Agency has previously cooperated with the Authority in connection with the issuance of the following debt (the "Prior Senior Loans" and the "Prior Senior Bonds", respectively):

- (i) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (the "Central North Redevelopment Project 2002 Series A Loan"), which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series A currently outstanding in the amount of \$4,635,000;
- (ii) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (the "Central North Redevelopment Project 2002 Series B Loan"), which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series B currently outstanding in the amount of \$2,555,000;
- (iii) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the 1987 Redevelopment Project ("1987 Redevelopment Project 2001 Series A Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$3,100,000; and
- (iv) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the 1994 Redevelopment Project ("1994 Redevelopment Project 2001 Series B Loan") which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series B currently outstanding in the amount of \$1,120,000; and
- (v) Loan Agreement, dated as of June 1, 2-001, providing for a loan related to the Housing Fund (the "2001 Housing Loan") which secured all or part of the Perris Public Financing Authority Tax Allocation 2001 Series A Bonds currently outstanding in the amount of \$4730; and

WHEREAS, in connection with its Redevelopment Projects, the Redevelopment Agency has previously cooperated with the Authority in connection with the issuance of the following debt (the "Prior Subordinate Loans" and the "Prior Subordinate Bonds", respectively):

- (i) Loan Agreement, dated as of August 1, 2002, providing for a loan related to the Central North Redevelopment Project (“Central North Redevelopment Project 2002 Series C Loan”) which secured all or a part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2002 Series C currently outstanding in the amount of \$2,415,000;
- (ii) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the Central North Redevelopment Project (“Central North Redevelopment Project 2006 Series Loan”) which secured all or a part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$2,995,000;
- (iii) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the 1987 Redevelopment Project (“1987 Redevelopment Project 2006 Series Loan”) securing all or a part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$4,815,000; and
- (iv) Loan Agreement, dated as of May 1, 2006, providing for a loan related to the 1994 Redevelopment Project (the “1994 Redevelopment Project 2006 Series Loan”) related to the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$12,770,000; and

WHEREAS, the Prior Senior Loans are each secured by certain tax increment revenues on a senior basis to the respective Prior Subordinate Loans, and other debt issued by the Agency on a parity with the Prior Subordinate Loans, with respect to each respective Project Area; and

WHEREAS, the Redevelopment Agency also entered into the following loan agreements (the “Prior Housing Loans” and, together with the Prior Senior Loan Agreements and the Prior Subordinate Loan Agreements, the “Prior Loans”), by and between the Redevelopment Agency and the Authority, which were secured by 20% of all taxes allocated within the applicable Redevelopment Project and deposited into the Low and Moderate Housing Fund (“Housing Fund”) pursuant to Section 33334.3 of the Redevelopment Law:

- (i) Loan Agreement, dated as of June 1, 2001, providing for a loan related to the Housing Fund (“2001 Housing Loan”) which secured all or part of the Perris Public Financing Authority Tax Allocation Revenue Bonds 2001 Series A currently outstanding in the amount of \$4,730,000 (the “2001 Housing bonds”); and
- (ii) Loan Agreement, dated as of May 1, 2006 providing for a loan related to the Housing Fund (“2006 Housing Loan”) which secured all or part of the Perris Public Financing Authority 2006 Tax Allocation Revenue Bonds currently outstanding in the amount of \$6,915,000 (the “2006 Housing Bonds” and, together with the 2001 Housing Bonds, the Prior Senior Bonds, and the Prior Subordinate Bonds, the “Prior Bonds”).

WHEREAS, the Agency has requested the Authority to make the following four loans (the “Senior Loans”) to the Agency hereunder on a senior basis to the Prior Subordinate Loans and the Subordinate Loans (as defined below) and a loan for the Prior Housing Loans for the purpose of providing funds to assist in refinancing and/or cancelling all or part of the Prior Bonds and Prior Loans:

- (i) Series A 1987 Redevelopment Project Loan in an aggregate principal amount not to exceed \$3.7 Million;
- (ii) Series A Central North Redevelopment Project Loan in an aggregate principal amount not to exceed \$8 Million;
- (iii) Series A 1994 Redevelopment Project Loan in an aggregate principal amount not to exceed \$1.5 Million; and
- (iv) Housing Loan in an aggregate principal amount not to exceed \$12.5 Million, which Housing Loan shall be issued on a parity with the Redevelopment Agency’s 2010 Housing Loan (“Housing Loan”); and

WHEREAS, the Agency has also requested the Authority to make the following three loans (together with other debt issued with a subordinate lien on tax increment revenues described below, the “Subordinate Loans”) to the Agency hereunder on a subordinate basis to the Prior Senior Loans and the Senior Loans relating to the respective Project Area, for the purpose of providing funds to assist in refinancing and/or cancelling the Prior Bonds and Prior Loans:

- (i) Series B 1987 Redevelopment Project Loan in an aggregate principal amount not to exceed \$5.5 Million, issued on a parity basis to the 2009 1987 Redevelopment Project Loan;
- (ii) Series B Central North Redevelopment Project Loan in an aggregate principal amount not to exceed \$6 Million, issued on a parity basis to the 2009 Central North Redevelopment Project Loan; and
- (iii) Series B 1994 Redevelopment Project Loan in an aggregate principal amount not to exceed \$13.8 Million, issued on a parity basis to the 2009 1994 Redevelopment Project Loan; and

WHEREAS, in order to finance the Senior Loans, the Agency has requested that the Authority issue its Tax Allocation Revenue Refunding Bonds 2015 Series A (the “Senior Bonds”) to make the Senior Loans, pursuant to four Loan Agreements with respect to the 1987 Redevelopment Project Area, the 1994 Redevelopment Project Area, the Central North Project Area, and the Housing Loan (the “Senior Loan Agreements”) between the Agency and the Authority in an aggregate principal amount not to exceed \$25 Million, and the Authority has determined to issue the Senior Bonds pursuant to the terms of the Indenture of Trust (the “Series A Indenture) by and between the Authority and U.S. Bank National Association, as Trustee (the “Trustee”); and

WHEREAS, in order to finance the Subordinate Loans, the Agency has requested that the Authority issue its Tax Allocation Subordinate Revenue Refunding Bonds 2015 Series B (the "Subordinate Bonds" and, together with the Senior Bonds, the "Bonds") to make the Subordinate Loans, pursuant to three Loan Agreement with respect to the 1987 Redevelopment Project Area, the 1994 Redevelopment Project Area, and the Central North Project Area, (the "Subordinate Loan Agreements") between the Agency and the Authority in an aggregate principal amount not to exceed \$25 Million, and the Authority has determined to issue the Subordinate Bonds pursuant to the terms of the Indenture of Trust (the "Series B Indenture") by and between the Authority and the Trustee; and

WHEREAS, pursuant to Section 34177.5(b), the Agency is authorized to issue such bonds (including the Senior Loans and the Subordinate Loans) under the authority of Article 11 (commencing with 53580) of Chapter 3 of Part I of Division 2 of Title 5 of the Government Codes, which bonds may be sold at a public or private sale or to a joint powers authority pursuant to Article 4, commencing with Section 6584 of the Marks Ross Local Bond Pooling Act of 1985 (Constituting Government Code Section 6584 et seq.);

WHEREAS, the Authority may purchase the Senior Loans and the Subordinate Loans from the Agency pursuant to the terms in said documents and issue Senior Bonds and the Subordinate Bonds to fund the Senior Loans and the Subordinate Loans and cancel outstanding debt; and

WHEREAS, the Authority proposes to sell the Bonds to O'Connor & Company Securities, Inc., as purchaser of the Bonds (the "Underwriter"), all on the terms and conditions herein set forth and as provided in the form of Purchase Contract, by and among the Authority, the Agency and the Underwriter (the "Purchase Contract"); and

WHEREAS, to effectuate the refunding of the Prior Senior Loans and the Prior Subordinate Loans, the Successor Agency further desires to approve the form and authorize the execution and delivery of escrow deposit and trust agreements related to the Prior Loans and bonds being refunded ("Escrow Agreements"), each between the Successor Agency, the Authority and the Trustee, acting as escrow agent and trustee for the Prior Senior Loans and the Prior Subordinate Loans:

WHEREAS, the Authority and the Agency, with the assistance of Rod Gunn Associates, Inc. (the "Financing Consultant") and Fulbright and Jaworski LLP, a member of Norton Rose Fulbright, Disclosure Counsel, have caused to be prepared an Official Statement describing the Bonds, the preliminary form of which is on file with the Secretary (the "Official Statement"); and

WHEREAS, the Authority, with the aid of its staff has reviewed the Series A Indenture, the Series B Indenture, the Senior Loan Agreements and the Subordinate Loan Agreements (the "Loan Agreement"), the Purchase Contract, the continuing disclosure agreement ("Continuing Disclosure Agreement")⁹ and the Official Statement and the Authority wishes at this time to approve the foregoing in the public interests of the Authority; and

WHEREAS, the Agency and the City have approved of the financing and issuance of the Bonds by the Authority to provide proceeds to make the Senior Loans and the Subordinate Loans to refinance public capital improvements and redevelopment projects and have found that significant public benefits will occur as a result of the financing, including but not limited to demonstrable savings in effective interest rate, bond preparation, bond underwriting and financing costs, employment benefits from undertaking the projects, user charge reductions and efficient delivery of local services associated with the improvements as contemplated by Section 6586 of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Perris Public Financing Authority, as follows:

Section 1. Recitals. The above Recitals are true and correct and incorporated herein by reference.

Section 2. Issuance of Bonds; Approval of Indenture. The Authority hereby authorizes the issuance of the Series A Bonds under and pursuant to the Act and the Series A Indenture in the aggregate principal amount of not to exceed \$25 Million. The Authority further hereby authorizes the issuance of the Series B Bonds under and pursuant to the Act and the Series B Indenture in the aggregate principal amount of not to exceed \$25 Million. The Authority hereby approves of the Series A Indenture and Series B Indenture in substantially the form thereof on file with the Secretary together with any additions thereto or changes therein deemed necessary or advisable by the Chair, Executive Director or Treasurer (the "Authorized Officers"), including, without limitation, the addition to the Series A Indenture or Series B Indenture of the final interest rates payable with respect to the respective Bonds and the final principal amount and annual maturities of the respective Bonds, as contained in the Purchase Contract, the execution thereof to be deemed conclusive evidence of the Authority's approval of such additions or changes. The Authorized Officers are each hereby authorized and directed to execute the Series A Indenture and Series B Indenture and the Secretary, Assistant or Deputy Secretary (the "Secretary") of the Authority is authorized to attest to the respective Indenture for and in the name and on behalf of the Authority. The Authority hereby authorizes the delivery and performance of the Series A Bonds and Series B Bonds and authorizes the Chair or Executive Director and the Secretary of the Authority to execute and attest to the Series A Bonds and the Series B Bonds. The Authority hereby determines that it is prudent in the management of its fiscal affairs and a public purpose to issue the Series A Bonds and the Series B Bonds.

Section 3. Approval of Loan Agreements. The Authority hereby authorizes the execution of the Loan Agreements: The Authority hereby approves the Loan Agreements in substantially the form thereof on file with the Secretary together with any additions thereto or changes therein deemed necessary or advisable by an Authorized Officer, the execution thereof to be deemed conclusive approval of said changes. The Chair, Executive Director and Treasurer of the Authority are each hereby authorized and directed to execute and attest to the Loan Agreements for and in the name and on behalf of the Authority and the Secretary of the Authority is authorized to attest to said signature. The Authority hereby authorizes the delivery and performance of the Loan Agreements.

Section 4. Sale of the Bonds/Purchase Contract. The Authority hereby authorizes the sale of the Bonds to the Underwriter pursuant to and in accordance with the Purchase Contract in substantially the form on file with the Secretary together with any additions thereto or changes therein approved by the Chair, Executive Director or Treasurer of the Authority. The Authority hereby delegates to the Chair, Executive Director or the Treasurer (or his written designee) the authority to accept an offer from the Underwriter to purchase the Bonds from the Authority and to execute the Purchase Contract for and in the name and on behalf of the Authority; provided, however, that the true interest cost with respect to the Bonds shall not exceed 4.9% per annum, and the Underwriter's discount for the purchase of the Bonds shall not exceed 2% of the par amount thereof, excluding any original issue discount on the Bonds.

Section 5. Approval of the Preliminary Official Statement. The form of the Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement"), on file with the Secretary and with such changes as approved by the Chair, Executive Director and Treasurer, is approved for distribution by the Underwriter to municipal bond broker-dealers, to banking institutions and to members of the general public who may be interested in purchasing the Bonds. The Authority Treasurer is authorized to approve changes in the Preliminary Official Statement, from time to time, pending such distribution as shall be required to cause the Preliminary Official Statement to contain any further information necessary to accurately describe the Bonds and the Authority. With respect to the distribution of the Preliminary Official Statement, the Executive Director or Treasurer of the Authority is authorized and directed, on behalf of the Authority, to deem the Preliminary Official Statement "final" pursuant to Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Rule").

Section 6. Approval of Official Statement. The Official Statement, which shall include such changes and additions thereto deemed advisable by the Executive Director or Treasurer and such information permitted to be excluded from the Preliminary Official Statement pursuant to the Rule, is hereby approved for delivery to the purchasers of the Bonds, and the Executive Director or Treasurer, or his written designee, is authorized and directed to execute the Official Statement for and on behalf of the Authority and the Treasurer is authorized and directed to deliver to the purchasers of the Bonds (i) a certificate with respect to the information set forth therein and (ii) a Continuing Disclosure Agreement substantially in the form appended to the Official Statement.

Section 7. Approval of Escrow Agreements and Continuing Disclosure Agreement. The forms of the Escrow Agreements and continuing disclosure agreement ("Continuing Disclosure Agreement"), if applicable, with are hereby approved in substantially the forms thereof or with such changes as may be approved by a Designated Officer, said Designated Officer's execution thereof to constitute conclusive evidence of said Designated Officer's approval of all such changes, and each Designated Officer is hereby authorized, together or alone, to execute and deliver said Escrow Agreements and Continuing Disclosure Agreement.

Section 8. Official Action. The Chair, the Vice-Chair, the Executive Director, Assistant Executive Director, the Treasurer, the Secretary, the Assistant Secretary and any and all other officers of the Authority are hereby authorized and directed, for and in the name and on behalf of the Authority, to do any and all things and take any and all actions,

including execution and delivery of any and all assignments, certificates, requisitions, including, without limitation, requisitions for the payment of costs of issuance of the Bonds, the Loans, including, without limitation, agreements providing for investment of proceeds of the aforementioned bonds or loans, notices, consents, instruments of conveyance, warrants, other documents, certificates and tax-certifications, municipal bond insurance commitments, reserve account surety commitments and agreements, final and conclusive determination with respect to the Bonds, the Loans, and other documents, to divide the Bonds or Loans into several additional loans or Bonds, which may be issued on a tax-exempt or taxable basis, as applicable, which they, or any of them, may deem necessary or advisable in order to consummate the issuance, sale and delivery of the Bonds. Any officer of the Authority herein authorized or directed to take any action may designate another officer of the Authority to take such action on his or her behalf, such designation to be approved or ratified in writing with respect to the taking of the applicable action. In addition, pursuant to Section 6588 of the Act, the Authority may set any other terms and conditions on the purchase and sale of the Bonds as it deems, by resolution, to be necessary, appropriate, and in the public interest, in furtherance of the purposes of the Act.

Section 9. Effective Date. This Resolution shall take effect from and after its passage and adoption.

ADOPTED, SIGNED and APPROVED this 10th day of February, 2015.

Chair

(S E A L)

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, SECRETARY OF THE PERRIS PUBLIC FINANCING AUTHORITY
HEREEBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly
adopted by the Perris Public Financing Authority at a regular meeting held on the 10th day of
February, 2015, by the following called vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary

**CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA SUBMITTAL**

Meeting Date: February 10, 2015

SUBJECT: **Ordinance Amendment (OA) 15-050005** – to update Title 8 of the Perris Municipal Code, Animal Control Ordinance, related to exotic animals and reptiles. Applicant: City of Perris

REQUESTED ACTION: **Adopt an Ordinance (next in order)**, approving Ordinance Amendment OA 15-050005 amending Title 8 of the Perris Municipal Code related to exotic animals and reptiles

CONTACT: David J. Martinez, Interim Building Official/Fire Marshal

BACKGROUND/DISCUSSION:


On October 8, 2014, the Public Safety Commission directed staff to bring back an amendment for recommendation to the City Council regarding the City's existing Animal Control Ordinance for the inclusion of Pot Bellied Pigs and venomous spiders, such as tarantulas. Due to the increasing popularity of miniature pot-bellied pigs as domesticated pets, the Public Safety Commission recommended that pot-bellied pigs be allowed in residential zones. However, as such animals are still considered livestock notwithstanding size, the keeping of such animal needs to be closely regulated and controlled to ensure that such animals do not become a nuisance or danger to the general public and the neighborhood in which it is kept. In addition, the Commission recommended that the amendment also allow for the keeping of spiders, such as tarantulas, which fall under the venomous spider category and are currently not allowed.

At the December 10, 2014 Public Safety Commission meeting, staff presented recommendations to allow the keeping of pot-bellied pigs and venomous spiders. At the meeting, the Commission also recommended that small exotic reptiles, such as small lizards, also be allowed in the same manner as venomous spiders and pot-bellied pigs. The proposed amendment also allows for the keeping of pot-bellied pigs, small exotic reptiles and venomous spiders, provided a permit is obtained through the Animal Control Department. Finally, the use of elephants at special events within the City of Perris is proposed to be allowed, provided a permit is also obtained.

Permits for pot-bellied pigs, venomous spiders, small reptiles, and the use of elephants at special events shall only be granted upon a showing by the applicant that adequate safeguards have been established and will be maintained which will effectively control the possible danger to individuals or property and in no way constitute a nuisance to the occupants of the any surrounding properties. As part of the permit application, applicable certification documents shall be required to be submitted for the protection of exotic animals and reptiles from recognized organizations. Appeal procedures are also established for the denial of the permit.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item has been budgeted under the 2014-2015 Fiscal Year Budget.

Prepared by: David J. Martinez, Interim Building Official/Fire Marshal
Reviewed by: Clara Miramontes, Director of Development Services

Reviewed by: Ron Carr, Assistant City Manager 
City Attorney: N/A

Attachments: Ordinance, Submittal and Minutes from Public Safety Commission Meeting of
December 10, 2014

Consent:
Public Hearing: X
Business Item:
Other:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING CHAPTER 8.08 OF THE PERRIS MUNICIPAL CODE REGARDING ANIMAL CONTROL REGULATIONS FOR EXOTIC ANIMALS

WHEREAS, the City Council of the City of Perris has the authority to react when the potential exists for jeopardy to the public health, safety and general welfare of its citizens; and

WHEREAS, the City Council finds and determines that unregulated exotic animals pose a serious threat to the residents and the environment throughout the City of Perris; and

WHEREAS, the City Council finds that the regulation of exotic animals and reptiles is necessary for the protection of Perris residents, for the preservation of public health, safety and general welfare; and

WHEREAS, the City Council desires to amend Section 8.08.070 and Section 8.08.180 of the Perris Municipal Code to attain the foregoing objectives.

THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals Incorporated. The foregoing Recitals are incorporated herein by reference as if set forth in full.

Section 2. Amendment to Section 8.08.070 of the Perris Municipal Code. Section 8.08.070 (PROHIBITED ANIMALS) of the Perris Municipal Code is hereby amended to read in its entirety as follows:

“Section 8.08.070 Prohibited animals.

A. It is unlawful for any person to have, keep, maintain, or have in his or her possession or under his or her control, on any property within the city, any small animal, fowl, bovine, sheep, buffalo, ox, ostrich, donkey, horse, mule, llama, goat or swine, unless:

The lot size of the property is not less than twenty thousand square feet, and:

1. The animal is maintained at least one hundred fifty feet from any building on adjacent property;
2. There are no more than a collective total of five small animals or fowl (including pigeons, chickens, ducks, geese, turkeys and peacocks but excluding roosters), turtles and/or rabbits; and
3. There are no more than a collective total of two: horses, mules, buffalo, ostrich, llama, bovine, sheep, goats, ox, cattle, donkey or swine.

B. In addition, the keeping of large animals, such as horses, cows, sheep and pigs, shall be limited to the following densities:

1. Two large animals on at least twenty thousand square feet;
2. Three large animals on at least thirty thousand square feet;
3. Four large animals on at least one acre; and
4. More than four large animals shall only be allowed on property greater than one acre provided that there is at least twenty thousand square feet per animal.

C. It is unlawful for any person to have, keep, maintain or have in his or her possession or under his or her control:

1. A rooster on any property not less than twenty thousand square feet. No matter how large the property, it is unlawful for any person to keep, maintain or have in his or her possession or under his or her control more than two roosters; and
2. A horse, llama, buffalo, ostrich, sheep, goat, swine, bovine, ox, donkey, elephant, or mule on any property within the City unless the property is zoned RA or A1.

D. Upon receipt of a City permit, an exception is granted for the ownership and/or use of:

1. Pot Bellied Pigs to be kept and maintained in residential zoned areas in the City. No matter how large the property, it is unlawful for any person to keep, maintain or have in his or her possession or under his or her control more than one Pot Bellied Pig; and

2. Elephants at special events within the City.

E. Permits under this Section shall only be granted by the City upon a showing by the applicant that adequate safeguards have been established and will be maintained which will effectively control the possible dangerous or vicious propensities of such animal eliminating any danger to individuals or property, and provide that the keeping or using of such animal will in no way constitute a nuisance to the occupants of any surrounding property. The denial of the permit shall be in writing and shall specify the grounds for such denial. The applicant shall have ten days from the date the permit was denied in order to appeal such denial to the City Council.”

Section 3. Amendment to Section 8.08.180 of the Perris Municipal Code.
Section 8.08.180 (EXOTIC ANIMALS AND REPTILES) of the Perris Municipal Code is hereby amended to read in its entirety as follows:

“Section 8.08.180 Exotic animals and reptiles.

A. Unless zoning specifically allows otherwise or unless permitted by a state agency, no person shall have, keep or maintain, or have in his or her possession or under his or her control on any property within the city any exotic animal, any venomous or otherwise dangerous reptile or arachnid, or other dangerous or carnivorous wild animal, irrespective of its actual or asserted state of docility, tameness or domesticity. The senior animal control officer may impound any such animal and dispose of it in a humane manner after three working days to allow for legal restraining action by the owner.

B. Upon receipt of a City permit, an exception is granted for venomous spiders and small exotic reptiles to be kept and maintained in residential zoned areas in the City of Perris. Such permit shall only be granted upon a showing by the applicant that adequate safeguards have been established and will be maintained which will effectively control the possible dangerous or vicious propensities of such venomous spiders and small exotic reptiles, thereby eliminating any danger to individuals or property, and provide that the keeping or using of such venomous spiders and exotic reptiles will in no way constitute a

nuisance to the occupants of any surrounding property. The denial of the permit shall be in writing and shall specify the grounds for such denial. The applicant shall have ten days from the date the permit was denied in order to appeal such denial to the City Council.

C. An exception is granted for elephants pursuant to Section 8.08.070(D).”

Section 4. No Repeal of other Provisions. Unless expressly modified or added herein, all provisions of Chapter 8.08 remain in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect 30 days after its adoption.

Section 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 7. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

ADOPTED, SIGNED and APPROVED this ___ day of _____, 2015.

Daryl R. Busch, Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

I, _____, City Clerk of the City of Perris that the foregoing Ordinance Number ____ was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the ___ day of _____, 2015, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

City Clerk

CITY OF PERRIS

MINUTES: Public Safety Meeting

Date of Meeting: December 10, 2014

06:00 PM

Place of Meeting: City Council Chambers

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL: Commissioners: Dapice, Rasmussen, Bieger, Bacha, Vice Chairman Weir, and Chairman Turner

Commission Members Present: Commissioner Dapice, Commissioner Rasmussen, Commissioner Bacha, Vice Chairman Weir, and Chairman Turner.

Staff Members Present: David Martinez/Interim Building Official/Fire Marshal, and Sylvia Arvizu/Administrative Assistant .

4. **CONSENT CALENDAR :**

- A. Public Safety Commission Minutes for meeting on October 08, 2014

The Chair called for a motion.

M/S/C: Moved by Commissioner Rasmussen, seconded by Commissioner Dapice to Approve A. Public Safety Commission Minutes for meeting on October 08, 2014

AYES: Commissioner Dapice, Commissioner Rasmussen, Commissioner Bacha, Vice Chairman Weir, Chairman Turner.

NOES:

ABSENT: Commissioner Bieger.

ABSTAIN:

5. **OLD BUSINESS:**

- A. None

6. NEW BUSINESS:

A. Riverside County's CERT Program - County Presentation of their Program

Diane Rockot - Representative speaker for County of Riverside Fire Dpt. Presentation Update on CERT Program - She stated that the CERT Classes are available to the resident of Riverside County and City of Perris and are funded by California State grants.

B. City Lighting and Security Cameras - Receive input on the recent lighting & Security Upgrades for the City Parks

Martinez/Interim Building Official/Fire Marshal - Public Concern of lighting throughout the City Parks update; The City Council meeting on October 2014 the City Council approved a pilot program with funds not to exceed 250,000.00 to install security cameras for some parks throughout the city.

Chairman Turner - when will the city consider security cameras at parks

Martinez/Interim Building Official/Fire Marshal - Plans had been approved 3 month ago, and project is on the go.

Chairman Turner - Express his concern, stating that Linear park should be a priority.

C. Animal Control - Animal Control Presentation on Spayed and Neutering

Martinez/Interim Building Official/Fire Marshal - Introduced Al Rojas/Animal Control Officer III Representing City of Perris Animal Control Department to update on this item.

Al Rojas/Animal Control Officer III Representing - Presentation on Spayed and Neutering throughout the city, animal licensing.

Vice Chairman Weir - Show or breed animal should be exempt; is required to participate in shows.

Commissioner Bacha - stated that license is discounted to spayed animals.

Al Rojas/Animal Control Officer III Representing - Officers carry discounted coupons with them and will given to residents who pets are

picked up by animal control and have not been spayed or neutered. Coupons are limited.

Turner

Weir - what's the next step to proceed with the amendment to the city ordinance regarding animal control spayed and neutered.

Martinez/Interim Building Official/Fire Marshal - This Item is on the agenda so the commissioners can act on it, by direction staff to change the verbiage, to take to this forward together or separately with item 6D Animal Control Regulations - Perris ordinance Number 1168.

Commissioner Dapice - does seniors have a discount

Al Rojas/Animal Control Officer III Representing - We do have senior discounts sterilized pet \$2.00 or \$50.00 for non sterilized.

Vice Chair Weir - at this time I would like to direct staff to make recommendations to amend the animal control regulations ordinance together with spayed and neutering.

Martinez/Interim Building Official/Fire Marshal - I'll work on Commissions directions to Present this item to city Council and bring back for their review and approval of an amendment to the City's existing Animal Control Ordinance for the inclusion of Pot Bellied Pigs and other exotic animals.

D. Perris Ordinance Number 1168 -Animal Control Regulations - Possible Amendment

Martinez/Interim Building Official/Fire Marshal - Presented the item and stated that if Public Safety Commissioners were to direct staff to bring back this item to the next city council meeting, he would like to have two of the commissioners present at this meeting so they can answer any questions that may come up.

The Chair called for a motion.

M/S/C: Moved by Chairman Turner, seconded by Commissioner Rasmussen to Approve

AYES: Commissioner Dapice, Commissioner Rasmussen, Commissioner Bacha, Vice Chairman Weir, Chairman Turner.

NOES:

ABSENT: Commissioner Bieger.

ABSTAIN:

E. Possible Naming of the EOC - Discussion and Recommendation Page 1 of 2

Martinez/Interim Building Official/Fire Marshal - presented the item stating that in the previous meeting commissioners had a brief discussion of a possible name for the EOC and that a former council member's was suggested , he asked commissioners to recommend wording, naming of the EOC, and to assigned two of the commissioners to bring back this item to city council for approval.

Martinez/Interim Building Official/Fire Marshal - asked Chairman Turner to repeat the name of the proposed name of the EOC for the record.

Chairman Turner - clarify that at the last Public Safety meeting commissioners voted the naming of EOC after former city council Joan Evans for her dedication to the City.

7. PUBLIC COMMENT:

Peter Taranto - concerned resident of the villages of Avalon to talk about gang activity in this area, neighborhood is becoming non a safe place to live in.

Commissioner Bacha - thank the resident showing up to the meeting and pointed out that a representative of the Police Dpt. was present in this meeting and that he will update on the status of the related concerns.

Chairman Turner - asked Mr. Taranto if HOA has security cameras?

John Bacha/Vice President of the Villages of Avalon HOA - introduced himself and stated he has background of law enforcement, also that the Villages of Avalon are working very closely with the sheriffs department in regards to this matter and that the help from other residents is appreciated and very helpful.

Chairman Turner - asked if any other public comments, and affirmed no further public comments. also introduced Lieutenant Wilhite speaker for the Sheriffs Dpt.

Lieutenant Wilhite/City Sheriffs Dpt. - Crime is holding steady in the City, due to citizens of the area, and recommended neighborhood watch.

8. FUTURE AGENDA ITEMS/INFORMATION/COMMENTS:

Vice Chairman Weir - Wished everyone Happy Holidays.

Commissioner Rasmussen - thank public comments and wished all Happy Holidays.

Commissioner Dapice - Wished everyone Happy Holidays

Chairman Turner - Wished everyone Happy Holidays; and asked when the lights going to be in that area.

Martinez/Interim Building Official/Fire Marshal - stated that plans are approved and in process. intent to follow up with Liner Park as been in as possible pilot system.

L. Wilhite - commented on presentation of CERT - stating that CERT is also use as searched and rescue gave as an example the missing child in the city of Menifee hundreds of volunteers.

Chairman Turner - affirmed the urgency to create a CERT Volunteer Team in the city.

9. DIRECTOR COMMENTS: None

Martinez/Interim Building Official/Fire Marshal - Reminder Commissioners Dinner

10. ADJOURNMENT

The Chair called for a motion.

M/S/C: Moved by Commissioner Rasmussen, seconded by Vice Chairman Weir to Approve

AYES: Commissioner Dapice, Commissioner Rasmussen, Commissioner Bacha, Vice Chairman Weir, Chairman Turner.

NOES:

ABSENT: Commissioner Bieger.

ABSTAIN:

**CITY OF PERRIS
CITY COUNCIL
AGENDA SUBMITTAL**

MEETING DATE: February 10, 2015

SUBJECT: Presentation by the Western Riverside Energy Leadership Partnership (WRELP) for City of Perris Advancement to Gold Level Tier

REQUESTED ACTION: Receive and file WRELP's Gold Level Tier Advancement Presentation

CONTACT: Michael Morales, Capital Improvements Project Manager

BACKGROUND/DISCUSSION:

In June, 2010 the City Council approved participation as one of 12 member cities in the Western Riverside Energy Leadership Partnership (WRELP). The partnership provides technical assistance and technology incentives to promote energy efficiency retrofits in municipal operations and facilities as well as to the community. With the assistance of the Partnership, in the past 4 ½ years, the City has reduced its energy usage by 24.55%, resulting in \$82,000 in savings. Tonight, the City of Perris joins the ranks of only 3 other Cities in the partnership that have achieved Gold Level status.

The presentation also recognizes accomplishments that have preceded this advancement in several categories:

TECHNICAL ASSISTANCE

1. ***Rate analysis and change of rate*** schedule at all 5 solar installations
 - a. Resulting in savings of \$19,136
2. ***Two (2) Energy Audits conducted at City facilities***-Free of charge
 - a. Resulted in identification of Well Pump upgrades in North Perris Water Co.
 - b. Resulted in identification of LED Lighting upgrades at 13 parking lots
3. ***Community Outreach***-Free of Charge
 - a. Resulted in placement of information kiosk at City Hall

DIRECT INSTALLATIONS

1. ***Business Upgrades***-Free of Charge
 - a. Resulted in 12% capture rate and 56 businesses assisted
2. ***Mobile Home Upgrades***-Free of Charge, 796,800 kWh hours saved
 - a. Resulted in 79% capture rate and 498 households assisted
 - b. Resulted in 78% capture rate and 166 households assisted
3. ***City of Perris Upgrades***-Free of Charge, 50,076 kWh saved
 - a. Resulted in savings of \$7,500, and free upgrades valued at \$36,718

CIP RETROFIT REBATE PROJECTS


1. ***LED Lighting Retrofit***-327,926 kWh saved final cost \$0 in 3.2 years
 - a. Resulted in rebate of \$36,071 from SCE, and energy savings of \$44,000 annually
2. ***Well Pump #2***-30,336 kWh saved final cost \$0 in 3 years
 - a. Resulted in rebate of \$5,200 from SCE and energy savings of \$3,687 annually

GRANTS RECEIVED

1. ***On-Line Permitting***- 20% of cost of new on-line building permit system
 - a. Total grant award- \$60,000
2. ***Energy Action Plans***- 100% of cost of Municipal Energy and Community Energy Action Plans
 - a. Total grant award-\$25,712

BUDGET (or FISCAL) IMPACT: N/A

Reviewed by:

City Attorney: _____ N/A
Assistant City Manager: 

Attachment(s): Power Point Presentation

Consent:

Public Hearing:

Business Item: X

Other: Presentation

Western Riverside Energy Leader Partnership Program Update



Perris City Council
February 10, 2015